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DESCRIPTIVE AND STATISTICAL

ACCOUNT

OF

THE BRITISH EMPIRE.

London: Printed by W. Clowes and Sons, Stamford Street.

A DESCRIPTIVE AND STATISTICAL

ACCOUNT

OF

THE BRITISH EMPIRE:

EXHIBITING

ITS EXTENT, PHYSICAL CAPACITIES, POPULATION, INDUSTRY, AND CIVIL AND RELIGIOUS INSTITUTIONS.

BY J. R. McCULLOCH, Esq.

MEMBER OF THE INSTITUTE OF FRANCE.

THIRD EDITION,

CORRECTED, ENLARGED, AND IMPROVED.

VOL. II.

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ac 1

Est enim cognitio reipublicæ et privato homini et publico utilissima et maxime necessaria; atque scientiam illam, qua duce cognitionem reipublicæ nobis comparamus, imprimis dignam esse, quam studiosius colamus et prosequamur, non est quod jure negare vel adeo dubitare possimus.

Mone, Hist. Statisticæ.

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LONDON:

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LONGMAN, BROWN, GREEN, AND LONGMANS.

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Sect. 1.—*General Remarks on Commerce.*

The commerce of Great Britain has, for a lengthened period, formed one of the principal sources of her wealth and power; and no account of the state and resources of the empire can have any pretensions to completeness in which it does not occupy a very prominent place.

Mode in which Commerce contributes to increase Wealth—Means by which it may be promoted.—Strictly speaking it is, perhaps, improper in such a work as this to say anything on topics of this sort; but so much misconception is entertained in regard to the mode in which commerce contributes to increase wealth, and the means by which it may be promoted, that we hope to be excused for submitting a few observations upon these points. No one doubts that they are of the greatest importance.

The influence of commerce upon national wealth is only indirect. Those engaged in commercial undertakings make no change in the articles they buy and sell: they merely barter one sort of produce for another; and, generally speaking, what is given is the exact equivalent of what is got. The advantage of the exchange—and it is not easy to overrate its importance—consists in its enabling those who produce the commodities or articles that form the subject-matter of commerce to carry on their business without interruption. The intervention of merchants and dealers gives a continuous motion to the plough and the loom. They collect and distribute all sorts of commodities; they buy of the farmers and manufacturers the things they have to sell; and bringing together every variety of useful and desirable articles in shops and warehouses, individuals are able, without difficulty or loss of time,

to supply themselves with whatever they want. Were the class of dealers annihilated, that division of labour in agriculture and manufactures to which they are indebted for most part of their progress would be wholly destroyed. The moment an individual had produced a quantity of wheat, of cloth, or of shoes, he would be obliged to abandon his peculiar occupation, and to endeavour, first to dispose of his produce, and next, to find out the various individuals possessed of, and willing to part with, the different articles required for his consumption. Under such circumstances, it would not be possible to confine ourselves to one employment, and every family would be obliged to undertake the manufacture of most things required for its support. All the advantages of co-operation and combination would be lost; society would be thrown back into primeval barbarism, and would not possess a tenth part of the accommodations that are now enjoyed.

But this is not all. Besides enabling individuals to addict themselves, in preference, to such employments as suit their tastes or capacities, and to prosecute them without interruption, commerce gives birth to a *territorial* division of labour. Different countries, and different provinces of the same country, differ in situation, soil, climate, and productions: some are admirably fitted for producing corn and wool, but are without wine and silk; some have rich mines, while their cultivated lands are poor and scanty; some are overrun by forests, while others can hardly boast of a solitary tree: nor is there, in point of fact, a single country, however rich in native products, that would not, if confined to its own resources, be destitute of many articles indispensable to a comfortable existence. But, by the establishment of a free commercial intercourse, what is deficient in one district is balanced by what is superfluous in another; and an industrious nation enjoys whatever is useful, rare, or valuable in all the countries and climates of the world. As soon as a commercial intercourse grows up, each people endeavours to avail itself of its peculiar means of production. Capital and industry are diverted, in preference, to those employments in which the physical circumstances of particular countries, or the genius of their inhabitants, especially fit them to excel; while by exchanging such portions of their peculiar produce as exceed their own consumption for the peculiar articles raised by others, each is supplied with all that is elsewhere obtainable; at the same time that the productive powers are stimulated to the utmost, and that the wealth of the world is immeasurably increased. It is thus, that by distributing the various articles suitable for the comfort and accommodation of man in different and distant regions, Providence has provided for their mutual dependence, and made the selfish pursuits of individuals and nations subservient to the general good.

Brief as this statement is, it is sufficient to demonstrate the impolicy of all attempts to promote commerce or industry by enactments intended to force capital into channels into which it would not naturally flow. Such regulations universally proceed on mistaken principles, and are sure to be pernicious. They disturb that distribution of labour which is most consonant to the order of nature, and limit that division of employments among different individuals and countries of which every fresh extension is sure to be advantageous. Those who maintain the policy

of endeavouring, by means of legislative enactments, to give a more profitable direction to national industry than it would naturally take, assume that governments know better than their subjects what is best calculated to promote the interests of the latter. But any such assumption would be in the highest degree preposterous and absurd. "The statesman," says Dr. Smith, "who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could safely be trusted not only to no single person, but to no council or senate whatever, and which would nowhere be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it."—(*Wealth of Nations*, p. 200.)

The conduct of individuals in matters of this sort may always be safely left to be determined by their own prudence and sagacity. We have the very best security—the plain and obvious interest of the parties—that they will, speaking generally, do that which is most for their own advantage, and, consequently, for that of the state of which they are subjects. Hence the policy of leaving them, in all cases, to pursue their own interest in their own way, and of interfering only when they attempt unjustly to encroach upon each other. Freedom and security are all that is necessary to stimulate industry and invention, and to insure the most rapid advancement in the career of improvement.

When a restriction is laid on the importation of any description of commodities previously brought from abroad, their price suddenly rises, and the home producers get an advantage; but what they gain in this way is plainly at the expense of their fellow-citizens, and is, besides, of trifling importance. For additional capital being drawn to the business, prices are very soon reduced to the level that barely affords the ordinary rate of profit. Now, it is just possible that this level may be identical with that at which prices stood previously to the restriction; but the probability is, that it will be considerably higher. If the former should happen to be the case, little, though something, will have been lost, but nothing whatever will have been gained by the restriction. By ceasing to import from the foreigner, we must also cease exporting to him; for the exports are, in all cases, merely the equivalents of the imports. All, therefore, that will have been accomplished by this measure will be the transference of capital from one employment to another. That equality of protection to which all individuals are justly entitled will have been encroached upon; the increase of one business will have been brought about by the depression of some other that was equally advantageous; but no addition will have been made to the capital of the country, or to the facilities for employing that capital with security and advantage.

But in the vast majority of cases the price of an article imported from abroad is not the same after its importation is prohibited, but is permanently raised; for if we could previously have produced it as cheaply as foreigners, it would not have been imported. Instead of being obtainable, as before, for 1,000,000*l.*, the article will henceforth cost perhaps 1,200,000*l.*, or 1,500,000*l.* And it is obvious that the effect of this artificial increase of price on the consumers of the article is precisely the same as if, supposing the trade to have continued free,

a peculiar tax of 200,000*l.* or 500,000*l.* a-year had been laid on them. But it will be observed that, had such a tax been imposed, its produce would have come into the hands of government, and would have formed a portion of the national income; whereas the increased cost of the article is, under the circumstances supposed, occasioned by an *increased difficulty of production*, and is, therefore, of no advantage to any one.

It consequently results that, even in those rare cases in which a restrictive regulation has no tendency to raise prices, it is hurtful, by changing the natural distribution of capital, and lessening the foreign demand for the produce of industry to the same extent that it increases the home demand. But in that incomparably more numerous class of cases in which a restriction occasions a rise in the price of the article which it affects, it is infinitely more injurious. Besides the mischief arising from varying the natural distribution of capital, and circumscribing the foreign trade of the country, such restriction imposes a heavy burden on the people, for no purpose of general or public utility, but to produce a certain and grievous injury, by tempting individuals to withdraw from really advantageous businesses to engage in those that cannot be prosecuted without great national loss, and which must be abandoned the moment the prohibition ceases to be enforced.

"The natural advantages which one country has over another in producing particular commodities, are sometimes so great, that it is acknowledged by all the world to be in vain to struggle with them. By means of glasses, hot-beds, and hot-walls, very good grapes can be raised in Scotland, and very good wine too can be made of them, at about thirty times the expense for which, at least, equally good can be brought from foreign countries. Would it be a reasonable law to prohibit the importation of all foreign wines, merely to encourage the making of claret and burgundy in Scotland? But if there would be a manifest absurdity in turning towards any employment thirty times more of the capital and industry of the country than would be necessary to purchase from foreign countries an equal quantity of the commodities wanted, there must be an absurdity, though not altogether so glaring, yet exactly of the same kind, in turning towards any such employment a thirtieth, or even a three hundredth part more of either. Whether the advantages which one country has over another be natural or acquired, is, in this respect, of no consequence. As long as the one country has those advantages, and the other wants them, it will always be more advantageous for the latter nation to buy of the former than to make. It is an acquired advantage only which one artificer has over his neighbour who exercises another trade; and yet they both find it more advantageous to buy of one another than to make what does not belong to their particular trades."—(*Wealth of Nations*, p. 201.)

These observations will probably suffice to give the reader an idea of the way in which commerce contributes to increase wealth, and of the policy that ought to be pursued with respect to it. Those who wish for further information on these points may consult the *Wealth of Nations*, the articles on COMMERCE, &c., in the *Commercial Dictionary*, and such like works.

It is usual, in treating of commerce, to distribute the details under the heads of home and foreign trade. It is not possible, indeed, always

to separate what belongs to the one from what belongs to the other; but the distinction may, notwithstanding, be made with sufficient accuracy for practical purposes.

1. *Home Trade.*—By this is understood the commercial transactions carried on by individuals of the same country with each other. In countries like France, where *octrois* are established, a kind of rough estimate may be formed of the extent of these transactions; but in such a country as England, where, with but few exceptions, no account is taken of any article brought to market, there are no means whatever of estimating the amount of this trade: it is obvious, however, that it must be very great. Articles of provision and clothing are of course the most prominent; but coal, and various articles for building and manufacture, are also very important.

There can be no question that the number and importance of the engagements annually entered into with each other by the inhabitants of all rich and populous countries very far exceed the number and importance of those they enter into with foreigners. But it does not, therefore, necessarily follow, as is commonly supposed, that the home trade is more beneficial than the foreign trade. Commerce, it must be kept in mind, is not directly productive; and, in estimating the comparative advantageousness of the traffic we carry on among ourselves and that which we carry on with others, it will not do to look merely at the magnitude and number of the transactions in each. The real question is, which occasions the greatest subdivision of employments, and gives the most powerful spur to industry? This, however, is a question that does not, perhaps, admit of any very satisfactory solution. Without some species of home trade, no division of employments could ever have been made, and man must have continued in ignorance and barbarism. And it may, therefore, be truly said, that the home trade is the most indispensable to the rise and early progress of the arts. But those who consider the influence of foreign commerce in making man acquainted with an infinity of useful and desirable products of which he must otherwise have been ignorant,—in diverting the industry of every country into the most profitable channels,—in improving every process carried on at home, by opening the markets of the world to its produce,—and in exciting the desires, and stimulating the industry and invention of all classes, will not hesitate to admit that it has principally contributed to advance society to the high state of improvement to which it has attained.

At no very distant period, various restraints were imposed on several branches of the home trade. Of these the most important seem to have been laid on the dealers in corn. The practices termed *engrossing*, or the buying up of quantities of corn and other victual, in the view of selling them at some future period; *forestalling*, or the buying of or contracting for corn or other victual on its way to market; and *regrating*, or the selling of corn or other victual in the same market in which it had been bought, were all forbidden under severe penalties. But the pernicious effects of such interference at length became obvious; and the statutes against forestalling, &c., after being materially modified in the reign of Charles II., were finally repealed in 1772.

It was not unusual, under the princes of the Tudor line, for the crown to grant monopolies to some one individual or set of individuals, conveying to him or them the sole right to make, buy, sell, export, or import some commodity or class of commodities. This abuse was carried to a very great height in the reign of Elizabeth. The grievance became, at length so insupportable that, notwithstanding the opposition of government, which looked upon the power of granting monopolies as a very valuable part of the prerogative, they were abolished in 1624 by the famous Act, 21 James I., cap. 3. This Act declares that all monopolies, grants, and letters-patent, for the sole buying, selling and making of goods and manufactures, not given by Act of Parliament, shall be null and void. It excepts patents for fourteen years for the sole working or making of any new manufactures within the realm, and for the true and first inventors of such manufactures, provided they be not contrary to law, nor mischievous to the state. It also excepts grants by Act of Parliament to corporations, companies, &c.

This Act effectually secured the freedom of internal industry, and has contributed more than any other in the statute book to accelerate the progress of improvement. From the period when it was passed down to the present moment, every branch of industry carried on at home has, with a few trifling exceptions (principally originating in corporation privileges), been conducted under a system of free competition. All individuals have been at liberty to employ themselves in whatever way they judged most conducive to their interests; and invention has been constantly on the rack to find out new methods of production, and to improve and perfect the old. The whole country has been subjected to the same equal law; and individuals and commodities have been permitted to pass, without let or hindrance of any sort, from one province or district to another. The restrictions that have been imposed on several branches of our trade with other countries have obliged us to pay an enhanced price for different foreign products, and subjected us to various inconveniences; but nothing of the sort has been experienced at home. The natural order of things has been less disturbed in Great Britain than in any other country; and we have been supplied with all sorts of native commodities and accommodations at the lowest price that would suffice to indemnify those who brought them to market.

This freedom of internal industry has been one of the principal causes of our more rapid progress in manufacturing and commercial industry. Those who compare the internal policy of Britain in this respect with that of France, Spain, or Germany, where each province had a separate revenue system, and was in the habit of surrounding its frontiers with a cordon of troops to shut out the cheaper products of its fellow-subjects, will be satisfied that it is not easy to exaggerate the advantages we owe to this more liberal system.

2. *Foreign Trade.*—The foreign trade of England was long confined within the narrowest limits, and gave no earnest of the extraordinary progress it was subsequently destined to make. For some centuries after the Norman invasion, the energies of the country were wasted on wild efforts to conquer France. After our expulsion from

that country had put an end to this Quixotic attempt, a contest began between the rival houses of York and Lancaster; and, for the protracted period of about forty years, the kingdom was a prey to all the horrors of civil war. The accession of Henry VII. restored tranquillity; and the judicious and vigorous measures of that monarch for repressing the turbulence of the great barons, and securing the ascendency of the law, were productive of the best effects. But all ranks and orders of people had suffered too much from previous disorders to think of engaging, on the return of tranquillity, in schemes of foreign commerce. Public attention in the reign of Henry VIII., Edward VI., and Mary, was almost wholly engrossed by religious disputes. Some attempts were, indeed, made to explore foreign countries, but, in the first instance at least, they led to no very striking practical results. It was not till the reign of Elizabeth that the taste of the nation for naval enterprise and foreign commerce was fully awakened. It was then that the flag of England began to wave over every sea; and that English merchants and English products began to be met with in the most distant markets. The foundation in the ensuing reign of the colonies of America gave a powerful stimulus to commerce; which was still farther promoted by the free and liberal institutions established at the Revolution. Nothing, however, has had so powerful an influence in extending our trade as the astonishing progress that has been made in the cotton manufacture. Previously to 1770, the exports of cotton goods were so very insignificant as to be hardly worth notice; whereas they amounted in 1845 to the prodigious sum of 26,119,331*l.* (real value), being nearly equal to all the other articles of export produced or manufactured at home!

It was the practice in most modern states, after the revival of commerce in the fifteenth, sixteenth, and seventeenth centuries, to assign such branches of trade as were reckoned peculiarly hazardous, or which were carried on with barbarous nations, to the exclusive management of regulated or joint stock companies. The trade with India is a striking example of this. It was supposed that it could not be safely carried on without the employment of armed ships, and the possession of factories, or fortified *depôts*, in India, where the adventurers and their products might be secure from the hostility of the natives. The trade with Africa, the Levant, and some other uncivilized countries, was supposed to require similar protection. And as most governments had not, in the ages referred to, ships and troops to spare for the defence of their subjects in remote regions, the traders were formed into companies, and were authorized to levy duties, and to provide for their common defence and security. Hence the origin of the Dutch, French, and English East India Companies, and of a host of other establishments of the same kind. But the necessity for these companies, if it ever really existed, which is questionable, ceased long ago, when the states to which they belonged became sufficiently powerful to protect their subjects in all parts of the world. When this change took place, the different companies should have been abolished; and the trade thrown open to that individual competition without which it never can make any considerable progress. But the private interests of the companies were opposed to any such measure; and

succeeded, through their influence with their respective governments, in preserving their monopolies for a lengthened period. Thus the trade between England and all the vast countries to the eastward of the Cape of Good Hope was monopolised by the East India Company till 1814, when private individuals were allowed to trade with India, and the countries to the west of Malacca; the trade with China, and the other countries to the east of the Straits, being reserved to the Company. But this also was opened in 1834 to public competition, and the last vestige of the old monopoly system effaced from the statute book! At present, therefore, all British subjects are at liberty to trade with all friendly countries, on their conforming to the regulations laid down by such countries, and to our customs' laws.

With the exception of coal, all other articles may be exported free. But the duties on imports are of the greatest importance. They have been imposed partly, and principally, in the view of raising a revenue, and, as such, will come under our notice in a subsequent part of this work. They have partly, however, been intended to protect or promote some native employment or department of industry. But, recently, the greater number of the duties imposed in this view have either been repealed or very materially modified; and the fair presumption is, that, in no long time, they will entirely disappear. It is obvious, indeed, that to whatever extent we hinder, either by oppressive duties or otherwise, the importation of foreign produce, we hinder at the same time, and by the same act, the exportation, and consequently, also, the production of an equivalent amount of British produce. We may confer, by a proceeding of this sort, a trifling advantage on a particular class; but it is obvious that what is gained by them must be made at the expense of some other class, whose business, from its being naturally adapted to the country, is sure to be more profitable. It is a contradiction, and an absurdity, to pretend that the wealth of any people can be increased by such means. The British nation has had the honour to be the first to admit this principle, and to renounce the selfish and shallow policy of monopoly. And the extension of our trade, and the influence which our example cannot fail to have in France, the United States, &c., will, there is little doubt, verify the anticipations of those who contended that, by adopting a liberal commercial system, we should not only secure for ourselves a great immediate advantage, but would induce other states to abandon their prohibitions, and to trade with us on a liberal footing.

Of the restrictions on our foreign trade, those on the importation of corn have long been the most important. But by the Act of this year, the 9 and 10 Vict., c. 22, these restrictions are to terminate on the 1st February, 1849, when the trade in corn becomes quite free.

The laws restricting the importation of corn have occasioned a vast deal of discussion and inquiry. From 1828 down to the present time, the duties on importation have been variable, increasing as the home price fell, and diminishing as it rose. Owing to the comparative density of our population, we have been accustomed, except in unusually favourable years, to import some portion of our supplies of corn; and the duty, by restricting this importation, tended to keep up the price of corn in scarce years, and in those in which the crop did not exceed an average. But, by doing this, it rendered ex-

portation in favourable years, or when the crops were unusually abundant, impossible without a considerable fall of price. In point of fact, therefore, the duty has been injurious both to the agriculturists and the other classes; to the latter, because of the obstacles it threw in the way of importation in scarce years; and to the former, because of its hindering exportation when the home crops exceeded an average. The mode, too, in which the duties were imposed added materially to the great risk naturally inherent in the corn trade. Had they been constant, a fall of price would have been the only danger to which the importing merchant would have been exposed; whereas an importer, under the late system, was not only exposed to loss by that fall, but by the rise that at the same time took place in the duty.

It is true that a vast deal of exaggeration has been indulged in on the subject of the corn laws, and that their mischievous influence has been very greatly overrated. But that they have been most injurious, especially in unfavourable seasons, is a fact of which there can be no manner of doubt. Owing, however, to the wonderful improvements made in agriculture during the last 20 years, the influence of the corn laws has progressively diminished by the greater abundance and cheapness of our home supplies; so that, as previously seen, no serious inconvenience to the agriculturists needs now be anticipated from their total repeal.

Several of the writers on economical subjects that preceded Adam Smith, had established and illustrated with more or less success some of the leading principles of a sound commercial system. But he was the first by whom the whole subject was treated in its fullest extent, and by whom these principles were established beyond the reach of cavil and dispute. Smith has shown, with a force of reasoning and an amplitude of illustration that leaves little to be desired, that the mercantile or protective system is at once inconsistent and absurd; and that every regulation intended to divert industry into particular channels, or to determine the species of intercourse to be carried on between different parts of the same country, or between distant and independent countries, is impolitic and pernicious, subversive of the rights of individuals, and adverse to the progress of real opulence and lasting prosperity.

Considering, however, the universal ascendancy of the protective system, and the specious reasonings that have been and may be alleged in its support, it will excite no surprise that the new doctrines with regard to the advantage of a free intercourse with foreigners, should have made their way slowly and with difficulty. But a sound theory when once fully established and fairly brought before the public, seldom fails in the end to triumph over all opposition. The principles developed by Smith were adopted and enforced by all subsequent writers of any influence or authority, and by most leading statesmen. At first, indeed, the latter generally contented themselves with expressing their concurrence in the doctrines, and their regret that the artificial system on which we had long acted made it impossible to apply them practically. But the fallacy of such statements was speedily shown; and after the close of the revolutionary war, and, more especially under the auspices of Mr. Huskisson, a very great

progress was made in the introduction of a more liberal commercial system. Several prohibitions of importation were repealed and various oppressive duties were materially reduced. The benefits resulting from these changes, and the more general diffusion of information on such subjects, paved the way for still further changes, and for that great measure that will for ever distinguish the administration of Sir Robert Peel.

After making very important changes in the corn laws and in the tariff in 1842, Sir Robert Peel made still further and more comprehensive changes in 1845. In the course of the latter year he abolished the customs' duties on about 420 articles, many of which were of very considerable importance. The measures then adopted were equivalent, in fact, to the virtual abandonment of the principle of protection. The shreds and patches of it which still remained might, however, have preserved their place on the statute book for some time longer had not the unsatisfactory corn-harvest and the partial failure of the potato crop in 1845 made it necessary to adopt measures for averting the threatened deficiency in the supply of food. Under such circumstances, the temporary suspension of the corn laws could hardly have been avoided. But if once suspended, their re-enactment would have been all but impossible; and it was infinitely better, by providing at once for their repeal to make an end of the system and of the dissatisfaction and agitation to which it had given birth, than to endeavour to prolong its existence in any modified shape. Such was the view of the matter taken by Sir Robert Peel; and he fortunately succeeded, despite difficulties that none else could have overcome, and at the cost of greater personal sacrifices than have ever been made by any other minister, in carrying an Act for the immediate modification of the corn laws and for their abolition at the end of three years! This great measure has been accompanied by still further improvements in the tariff, more especially as respects sugar; so that the principle of the perfect freedom of trade may now be considered as finally adopted, and all but fully carried out, in our commercial policy.

SECT. 2.—*Trade with different Countries.*

Many of the remarks and statements that might have been introduced under this head have been anticipated in the preceding chapter. Subjoined to the notices of those manufactures of which any considerable portion is exported, such as cotton, woollen, linen, hardware, &c., are accounts of the quantity and value thereof exported in different years, specifying the countries to which the exports were made, and the quantities and values of the different articles sent to each. Some of these articles also contain accounts of the foreign sources whence the raw material, used wholly or partly in some of our principal manufactures, has been derived, &c. The following remarks and tables will, therefore, be in some measure supplementary only to those now referred to; a circumstance which must be kept in view by the reader of this chapter.

Trade with Ireland.—Exclusive of the coasting trade carried on between different ports of Great Britain, there is a very extensive coasting, or cross channel trade, carried on between Great Britain

and Ireland. With the exception of linens, almost all the manufactured articles made use of in Ireland are imported from Great Britain; as is by far the largest part of the tea, sugar, wine, and other foreign articles required for her consumption. In return she sends to us, exclusive of linens, large quantities of corn, flour, and meal, live cattle and pigs, barrelled beef and pork, butter, lard, &c. There are no means, however, for determining the exact amount of this trade, no official accounts having been kept of the quantity or value of the articles passing between the two countries since 1825, with the exception of the corn brought from Ireland into Great Britain. The latter, including flour and meal, amounts annually to about 3,000,000 quarters (see vol. i., p. 572). Subjoined is an—

Account of the Quantities of the various Articles Exported from Ireland during the Years 1801, 1805, 1809, 1813, 1817, 1821, *and* 1825, *exhibiting the respective Official Values of the Exports to Great Britain and to Foreign Parts.*

Articles being the Produce or Manufactures of the United Kingdom.	1801	1805	1809	1813	1817	1821	1825
To all Parts.							
Corn and meal, viz.:—							
Barley . . . . qrs.	..	17,223	26,588	194,193	39,114	78,228	454,822
Oats . . . . . ,,	129	223,234	828,458	808,329	646,036	1,159,824	1,503,204
Wheat . . . . . ,,	..	82,815	85,539	201,273	57,280	476,940	283,349
Other grain . . . ,,	1	5,302	3,023	5,934	2,011	7,897	23,832
Wheat flour . . . cwt.	203	22,774	18,067	267,894	34,517	295,035	394,507
Oatmeal, &c. . . . ,,	2,524	34,297	90,948	108,547	34,863	66,063	204,617
Cattle and live stock—							
Cows and oxen . . No.	31,664	21,941	18,335	49,592	45,322	26,759	63,524
Sheep . . . . . ,,	2,891	10,988	7,556	7,650	29,478	25,354	72,191
Swine . . . . . ,,	1,968	6,383	4,712	14,521	24,418	104,556	65,919
Horses . . . . . ,,	818	4,186	3,451	4,001	879	2,503	3,140
Bacon and hams . . cwt.	21,161	96,073	167,122	234,606	191,025	366,109	262,278
Beef and pork . barrels	160,840	222,098	262,744	281,503	262,605	219,165	181,276
Butter . . . . . cwt.	304,666	294,415	335,953	401,514	397,965	472,944	474,161
Lard . . . . . ,,	2,049	6,363	16,232	20,136	17,181	28,489	35,261
Soap and candles . . ,,	15,557	17,713	30,810	46,615	25,381	18,454	14,791
Flax, undressed . .	1,639	278	6,507	69,191	44,239	68,791	54,838
Spirits, Irish . Imp. gals.	178,602	819,970	60,437	113,816	37,884	326,491	629,529
Cotton manufactures, entered by the yard . . . . . yds.	1,256	8,956	34,998	99,141	549,261	921,971	10,507,458
— of other descriptions £.	4,824	3,284	31,923	58,074	26,250	6,564	801
Linen manufactures . yds.	37,911,602	43,683,533	37,166,399	39,623,067	56,230,575	49,531,139	55,114,515
— yarn . . . . . lbs.	2,631,132	792,400	1,534,512	2,141,776	1,571,444	1,150,464	391,489
Other articles of the produce or manufactures of the United Kingdom . £.	192,259	211,184	302,843	289,909	434,125	334,353	466,390
	£.	£.	£.	£.	£.	£.	£.
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to all parts	3,778,145	4,670,647	4,992,840	6,297,264	6,447,424	7,705,079	9,101,956
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to foreign parts . . .	426,076	469,569	625,415	1,132,781	877,959	637,818	697,667
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to Great Britain . . .	3,352,069	4,201,078	4,367,423	5,164,483	5,569,463	7,067,252	8,404,289

The inconsiderable amount of the trade of Ireland with all places except Great Britain, is seen from this table, and will be further evinced afterwards. Liverpool being the grand seat of the trade between this country and Ireland, we subjoin a statement, compiled with the greatest care by the best authorities, exhibiting a view of the quantities and values of the leading articles of Irish produce imported into Liverpool.

Account of the Quantities, Prices, and Values of the following Articles of Irish Produce imported into Liverpool during each of the Seven Years ending with December, 1844.

Years.	Beef.			Pork.			Butter.			Bacon and Hams.		
	Quantities.	Average Prices.	Values.	Quantities.	Average Prices.	Values.	Quantities.	Average Prices.	Values.	Quantities.	Average Prices.	Values.
	Tierces.		£.	Barrels.		£.	Cwts.		£.	Cwts.		£.
1838	11,312	120s.	68,032	22,718	80s.	91,102	249,040	80s.	792,100	..	..	..
1839	10,109	120s.	60,714	35,805	68s.	122,043	247,499	90s.	1,113,745	..	..	..
1840	12,781	120s.	76,344	33,051	60s.	101,555	226,213	90s.	1,017,959	..	..	..
1841	9,473	120s.	56,850	19,873	76s.	73,616	198,490	80s.	793,960	79,734	42s. 3d.	169,513
1842	6,922	85s.	29,979	17,911	53s.	49,255	195,220	60s.	781,154	76,313	42s. 3d.	165,918
1843	6,177	93s.	29,241	15,836	63s.	43,610	250,498	80s.	1,001,992	85,260	40s.	171,720
1844	4,097	84s.	16,918	14,801	60s.	44,403	240,250	84s.	1,046,868	90,036	42s.	189,118
Average	8,982	107s. 9d.	48,727	22,926	64s. 10d.	75,096	230,041	83s. 5d.	933,409	83,586	41s. 9d.	174,067

Years.	Lard.			Flax.			Wool.			Cattle.		
	Cwts.		£.	Tons.		£.	Lbs.		£.	No.		£
1838	..	..	..	501	48l.	27,168	4,062,240	16d.	270,816	102,337	13l.	1,330,381
1839	..	..	..	1,107	50l.	59,350	2,701,440	16d.	180,096	104,807	13l.	1,363,491
1840	..	..	..	918	43l.	41,310	3,361,600	13d.	182,091	87,217	13l.	1,133,821
1841	20,497	44s. 5d.	45,490	704	46l.	32,384	3,490,560	11d.	159,984	91,092	12l.	1,103,904
1842	18,316	48s. 8½d.	43,231	746	45l.	33,600	2,501,220	10½d.	109,491	84,441	11l.	923,851
1843	19,468	50s.	48,655	476	44l.	21,896	2,909,600	13d.	152,133	78,863	12l.	940,354
1844	21,678	52s.	56,850	348	45l.	15,660	2,974,800	13¼d.	163,552	83,765	13l.	1,088,945
Average	20,037	48s. 3d.	48,433	707	45l. 17s.	32,021	3,042,048	13¼d.	169,733	90,420	12l. 8s. 7d.	1,127,181

Years.	Sheep and Lambs.			Pigs.			Horses.			Wheat.		
	No.		£.	No.		£.	No.		£.	Qrs.		£.
1838	201,371	30s.	302,056	216,443	45s.	487,027	5,317	15l. 10s.	83,035	154,740	56s.	433,481
1839	214,009	30s.	321,363	294,633	45s.	640,879	5,654	15l.	84,810	64,833	60s.	192,999
1840	221,796	28s.	310,314	193,016	45s.	409,536	4,074	15l.	61,110	90,631	54s.	163,703
1841	170,486	26s.	221,631	147,511	45s.	331,922	1,832	15l.	27,480	115,125	56s.	322,350
1842	147,675	23s.	169,826	189,298	40s.	379,466	1,070	15l.	16,050	82,417	48s.	197,801
1843	134,444	27s.	181,498	254,710	40s.	509,420	980	18l.	17,902	152,446	47s.	358,248
1844	137,870	29s.	199,186	243,650	43s.	523,359	1,688	19l.	32,072	124,714	48s. 6d.	302,431
Average	175,436	27s. 7d.	243,867	216,913	43s. 3d.	469,730	2,949	16l. 1s. 5d.	46,054	107,773	52s. 9d.	231,566

Years.	Barley.			Oats.			Rye.			Beans.		
	Qrs. T.		£.	Qrs.		£.	Qrs.		£.	Qrs.		£
1838	23,454	23s.	32,538	345,185	21s.	362,444	779	22s.	1,129	10,070	36s.	19,56
1839	7,817	40s.	14,634	234,028	24s. 6d.	311,270	615	37s. 6d.	1,153	4,401	40s.	8,802
1840	19,937	33s.	33,139	241,923	25s.	302,410	227	54s. 8d.	411	6,130	42s.	12,878
1841	15,834	30s.	23,926	294,452	22s. 9d.	334,980	190	30s.	270	1,049	40s.	2,098
1842	6,537	30s.	9,836	215,856	20s.	215,850	71	29s. 10d.	106	4,038	35s.	7,16
1843	11,417	29s. 5d.	16,222	200,650	17s. 2d.	172,132	510	32s.	816	3,874	33s. 11d.	6,570
1844	6,038	30s. 10d.	10,803	182,872	19s. 4d.	176,776	336	38s. 4d.	644	3,141	32s. 6d.	5,104
Average	12,750	31s. 10½d.	20,074	247,793	21s. 4½d.	267,918	390	33s. 0½d.	647	4,786	37s. 0½d.	8,683

Years.	Peas.			Malt.			Oatmeal.			Flour.		
	Qrs.		£.	Qrs.		£.	Sacks of 240 lbs.		£.	Sacks of 280 lbs.		£.
1838	979	33s.	1,615	1,792	50s.	4,480	320,348	25s. 6d.	408,443	282,822	47s.	663,456
1839	962	33s.	1,697	451	58s. 8d.	1,315	216,375	34s.	367,837	104,655	53s.	277,335
1840	448	40s.	896	2,249	67s. 6d.	7,596	234,803	34s.	399,165	82,177	50s.	80,442
1841	151	40s.	302	2,426	56s.	6,793	331,068	27s. 6d.	523,968	79,043	48s.	168,103
1842	50	34s. 5d.	96	407	50s.	1,017	276,420	24s.	331,716	77,217	46s.	177,599
1843	380	32s.	608	8,847	52s.	25,002	417,618	19s. 11d.	415,928	213,148	39s. 10d.	432,529
1844	181	35s. 3d.	322	5,241	54s.	14,151	244,186	22s.	268,550	247,883	39s. 10d.	493,699
Average	450	36s. 1d.	808	3,059	55s. 3d.	8,336	298,682	26s. 8d.	387,944	146,635	46s. 8d.	326,166

Annual Values of the Total Irish Produce imported into Liverpool during Seven Years, as follows:—

1838	1839	1840	1841	1842	1843	1844
£.	£.	£.	£.	£.	£.	£.
5,559,047	5,073,850	4,334,164	4,499,188	3,649,428	4,584,578	4,618,957

About 500,000*l.* a-year may be added to the total sums in the above table for the years 1838, 1839, 1840, 1841, and 1842, and 700,000*l.* for the years 1843 and 1844, for cottons and linens, eggs, salmon, &c., of which no accurate account can be had. In 1844 these values are believed to have been nearly as follows, viz.: cottons and linens 400,000*l.*; eggs and poultry 120,000*l.*; salmon, 40,000*l.*; other fish, including oysters, 30,000*l.*; hides, hair, feathers, minerals, porter, &c., 110,000*l.*, making in all 700,000*l.*

In addition to the above, Irish grain of the value of 162,620*l.* was imported, in 1844, into Runcorn, at the mouth of the Duke of Bridgewater's Canal, direct from Ireland. A good deal of the wool that was formerly exported from Ireland to Liverpool, and thence to the Continent, is now shipped direct for the latter.

The trade between Ireland and all the other ports of Great Britain does not amount to half her trade with Liverpool.

It is quite impossible to form any estimate either of the quantity or value of most articles carried coastwise from port to port in Great Britain. The conveyance of coal from the Tyne, the Wear, and the Tees to the metropolis, and other towns in the southern counties, forms an important branch of the coasting trade.

Trade with Foreign Countries.

1. *Trade with Russia.*—This trade, which is of very considerable importance, took its rise in the reign of Elizabeth. Archangel, discovered in 1554, by Richard Chancellour, who accompanied the famous Sir Hugh Willoughby in his unfortunate voyage to the north, continued till the reign of Peter the Great to be the only Russian port accessible to foreigners. But, since its foundation, Petersburgh has engrossed by far the largest portion of the foreign trade of the empire. The principal articles of import into Great Britain from Russia are tallow, corn, flax and hemp, flax and linseed, timber, bristles, ashes, hides, and wax. Cotton-twist is the principal article of British produce sent to Russia. The rest chiefly consist of woollen manufactures, salt, coal, hardware, lead and shot, tin, &c. We also supply her with considerable quantities of coffee, indigo, spices, and other foreign and colonial articles. Owing to the great bulk of most of the articles brought from Russia, the trade employs a large amount of shipping, which is mostly all the property of English merchants.

2. *Sweden and Norway.*—The trade with these two countries is comparatively unimportant. The imports principally consist of timber, iron, and bark. They would have been much larger, but for the heavy duty imposed on timber from the north of Europe above that imposed on timber from Canada. The influence of this discriminating duty is most pernicious. It not only occasions an artificial increase in the price of timber, but it leads to the substitution of an inferior for a superior article. Previously to 1810, when this distinction was unknown, the exports to Sweden and Norway were much greater. The exports principally consist of cottons and cotton-twist, woollens, earthenware, hardware, coffee, indigo, tobacco, spices, sugar, &c.

3. *Denmark.*—The imports consist almost wholly of corn and rape-seed, with small quantities of butter, bristles, wool, hides, and bark.

The principal exports are coal, salt, iron and steel, earthenware, machinery, coffee, indigo, &c.

4. *Prussia.*—The direct trade to Prussia is not very considerable; but we carry on a large indirect trade with her through Hamburg, the exports and imports being included under the head of Germany. The trade to Prussia, and, indeed to the whole north of Europe, has been materially injured by the discriminating duties on foreign timber. Dantzic is the greatest port, not in Prussia only, but in the world, for the exportation of corn, particularly wheat of the very finest quality. The timber of Dantzic and Memel is also excellent. Besides corn, of which we fetch, in bad years, a larger supply from Prussia than from any other country, the direct imports consist principally of oak and fir timber, with small quantities of bark, bristles, wool, spelter, flax, &c. With the exception of refined sugar and salt, the British produce directly exported to Prussia is inconsiderable. But, exclusive of colonial products, we supply her, through Hamburg, with large quantities of cottons, hardware, earthenware, &c.

5. *Germany.*—The trade to Germany, which is principally carried on through Hamburg and Bremen, is of great extent and importance. Since the introduction of merino sheep into Saxony in the latter part of last century, German wool has been so much improved that it is now decidedly superior to that of Spain, and forms one of the leading articles of import into this country. Germany also supplies us with large quantities of corn, and with wine, butter, linens, hides, clover and rape-seed, smaltz, spelter, and zaffre, furs (particularly fitch), wooden clocks, and other inferior articles. The exports principally consist of cotton-stuffs and twist, woollens, refined sugar, hardware, earthenware, iron and steel, coal, salt, &c. The Germans are extensive importers of colonial produce. They are our largest customers for indigo, coffee, rum, tobacco, and cotton-wool. They also take from us considerable quantities of spices, &c.

Within the last few years, Prussia has prevailed on by far the greater number of the secondary and smaller German states to enter into a commercial league, by adopting a uniform tariff of duties on imports, and establishing a free system of internal commerce. Previously to the adoption of this plan, each petty state had its own custom-houses, and its own system of duties and revenue laws: these frequently differed widely from those of its neighbours, so that the internal trade of the country was subject to all the vexatious restrictions that are usually laid on the intercourse between distant and independent states, and was, in consequence, comparatively trifling. But these restraints are now entirely got rid of. Internal custom-houses, and separate custom-duties, no longer exist. Each state gets a fair proportion of the duties, collected at the frontier of the territories of the league; and a commodity admitted at any one of the external custom-houses may be subsequently conveyed, without let or hindrance, from Hamburg to Konigsberg, and from Stettin and Dantzic to the frontiers of the Tyrol. It was at first supposed by many, that this system would be injurious to our commerce with Germany; but there seems to be no good ground for any such apprehension. The freedom of internal commerce has done more to promote the prosperity of the countries included within the league than any other measure their rulers could have adopted; and, as popu-

lation increases, and the inhabitants become more wealthy, there will, no doubt, be an augmented demand for foreign products. Generally speaking, the duties are moderate; and if any attempt were made to raise them to an exorbitant height, the facilities for smuggling along the frontiers of the league are so very great that they could not be collected.

6. *Holland.*—Under this head we include the trade with Belgium. The imports are butter, cheese, corn, madder, geneva, flax and tow, hides, linens, seeds, toys, &c. The exports are principally cotton-stuffs and twist, woollens, hardware, earthenware, salt, coal, &c. We also supply them with a good deal of coffee, cocoa, indigo, and tobacco.

7. *France.*—In consequence of the violent animosities that have unhappily subsisted between England and France, the trade between these two great countries was long confined within very narrow limits. Each was jealous of the other's prosperity, and laboured to depress the trade of its neighbour, though in doing so it might inflict a more serious injury on its own subjects. But the folly of this conduct has at length become apparent, and sounder principles are beginning to prevail. The high discriminating duty on French wines, imposed soon after the revolution of 1688, has been repealed; and the British markets have also been opened to French silks. These concessions have been met in France with a corresponding spirit; and the trade between the two countries has latterly become of very great importance. The late reduction of the exorbitant duty on foreign brandy will, no doubt, contribute materially to its extension.

The principal imports from France are brandy, wine, silk (raw and manufactured), gloves, madder, eggs, skins, and fruit. The exports are linens, and linen yarn, the export of which has rapidly increased within the last dozen years; brass and copper manufactures, machinery, coal, horses, &c.

8. *Portugal and Spain.*—The chief articles of import from the Peninsula are port and sherry, wines which have long had the ascendancy in the English market. We also import considerable quantities of wool (though less now than formerly), raisins and other dry fruits, lemons and oranges, olive-oil, quicksilver, barilla, &c. On some recent occasions, Spain has supplied us with considerable quantities of corn. The principal exports are cotton-stuffs, woollens, linens, hardware and cutlery, iron and steel, soap and candles, leather, &c. Spain is our largest customer for cinnamon.

9. *Italy.*—The trade with Italy has increased greatly within these few years, and is now of much value and importance. Italian thrown-silk is of the finest quality, and forms a considerable item in our imports; but we receive it mostly at second-hand through France. Besides silk, we import large quantities of olive-oil, with straw-hats, straw plait, and straw to be made into plait,—the imports of hats having materially declined of late years, while those of plait and straw have been greatly augmented. We also import wheat (chiefly at second-hand from the Black Sea), currants, lemons and oranges, wine, barilla, shumac, bark, cheese, lamb-skins, hemp, and various minor articles. Our exports are principally cotton-stuffs and twist (for which Italy is one of our best markets), refined sugar, woollen manufactures, hardware and cutlery, iron and steel, &c. She also takes off large quantities of coffee, indigo, tobacco, pimento, &c.

10. *Turkey, Greece, &c.*—The principal imports are silk, opium, madder, figs, raisins, valonia, oil, cotton, currants, senna, &c. The exports are cotton manufactures and twist in large quantities, with a small supply of linens, hardware, iron and steel, cordage, woollens, earthenware, &c. The exports of indigo and coffee are considerable.

11. *Africa.*—The trade to Africa, with the exception of that to the British possessions and Egypt, is quite inconsiderable. The principal imports from Egypt are cotton-wool, flax and linseed, senna and other drugs. The exports are cotton manufactures, iron and steel, arms and ammunition, machinery, &c. The colonial and other foreign products sent to Egypt are not worth notice.

12. *Foreign West Indies.*—The trade with the foreign West Indies is of very considerable importance. It is principally carried on with Cuba, Hayti, and St. Thomas. The imports principally consist of sugar, coffee, cotton, cigars, &c. The exports are cotton manufactures, earthenware, linen manufactures, hardware, iron and steel, woollens, glass, machinery, &c.

13. *United States.*—The identity of language, and the prevalence of similar customs and habits, would necessarily occasion a considerable intercourse between Great Britain and the United States. This, however, has been materially promoted by the peculiar circumstances under which the latter have been placed. Occupying a country of vast extent and great natural fertility, most part of which is still a wilderness, agriculture was, of course, the most profitable employment in which the citizens of the United States could engage; and there being no country that could supply them with most descriptions of manufactured goods so cheaply as Great Britain, we have continued, since the peace of 1784, to maintain the same ascendancy in their markets that we enjoyed while they were our colonists. The American legislature has, indeed, endeavoured, by dint of prohibitions and bounties, to raise up a manufacturing interest. But, as might have been foreseen, the attempt has proved eminently unsuccessful; and has been productive, not only of great national loss, but of so much dissatisfaction that, unless the legislature had given way and modified the tariff, the integrity of the Union would, most likely, have been compromised.

Tobacco was, at one time, the principal article of export from the United States; but, since Mr. Whitney invented his machine for separating cotton wool from the pod (see vol. i., art. COTTON MANUFACTURE), the increase in the growth of cotton has been rapid beyond all precedent, and it now forms by far the most important article of export from America. Tobacco, is still, however, a very valuable article; and we fetch from the United States more than nine-tenths of all that is consumed in this country. The other articles of import are wheat-flour and wheat, rice, skins and furs, hides, staves, &c. Our exports of cotton, linen, and woollen manufactures to the United States are very large. We also supply them with hardware and cutlery, earthenware (of which they are very extensive buyers), and with salt, brass and copper, apparel, books, &c.

14. *South American States.*—With the exception of Brazil, most of these countries have been for a long series of years in a very unsettled state. The most violent party animosities have existed; and industry of all sorts has been much depressed. But symptoms of a

better order of things are beginning to disclose themselves; and were liberal governments established on anything like a solid basis, the resources of the countries are so very great, that there can be little doubt they would speedily become the seats of industry and of an extensive commerce. Our trade with Brazil is at present of as much importance as that with all the rest of these states. Next to it is our trade with Mexico, La Plata, Chili, &c. The principal articles of import are bullion and precious stones, cotton wool, sugar and coffee, cocoa, hides, fruits, bark, dye-woods, furs, &c. Our principal exports are cottons, linens, and woollens. We also send them earthenware, hardware, soap, and candles, and a variety of subordinate articles.

Trade with Colonies and Dependencies, including the Trade with China.

1. *Colonies in Africa.*—Of these the Cape of Good Hope is the most important. It is more valuable, however, from its position in reference to our Indian Empire than from its commerce, which is of comparatively little value. The principal imports are wool, wine (which, with the exception of Constantia, is for the most part very inferior), hides, ivory, skins, aloes, &c. The exports consist chiefly of cotton, woollen, and linen manufactures, apparel, earthenware, hardware, iron and steel, soap and candles, stationery, &c.

Sierra Leone, on the western coast of Africa, was founded principally in the view of promoting the civilisation of the negroes; but it has cost vast sums, without in any respect answering the views of its projectors. The principal article of import from Western Africa is palm-oil; we also import ivory, teak timber, wax, hides, dye-woods, &c. The exports are cotton goods, guns and pistols, hardware, salt, soap, and candles, &c.

Mauritius is now become quite a sugar island; and is placed, in all respects, under the same regulations as the islands in the West Indies. Sugar has become almost the only product of the colony, and is, consequently, almost the only article of import. We send to it cotton goods, linens, iron and steel, machinery, apparel, &c.

2. *Asia.*—The trade to China used to be mixed up in the official statements with the trade to Hindostan. Of the imports from the former, tea and silk are by far the most important, the former having become almost a necessary of life in England. Indigo, or, perhaps, sugar, is the most important article brought from India; and next to it are cotton, silk, coffee, pepper, saltpetre, piece-goods, rice, lac-dye, &c. The imports from Ceylon are principally coffee, cinnamon, cocoa-nut oil, ivory, &c. We bring tin and pepper from the eastern islands; and mace and cloves at second hand from Amboyna. Wool is the great article of import from New South Wales and Van Diemen's Land, the quantities having wonderfully increased.

Previously to 1814 we hardly exported any cottons to the East; our imports of piece-goods being at the same time considerable. But at this epoch the trade to Hindostan was opened to private adventurers; and, while the imports of piece-goods have been since either stationary or declining, there has been a most extraordinary increase in the exports of cotton goods to India; so much so, that that country is now one of our best markets for cotton stuffs and twist. The other

articles of export are woollens, linens, earthenware, copper, hardware, iron and steel, leather, glass, machinery, &c. The precious metals were, for a lengthened period, one of the most profitable articles of export to the East; but within these few years the tide has occasionally set in the opposite direction, and large quantities have been imported.

8. *American Colonies.*—The settlements on the inhospitable shores of Hudson's Bay furnish a considerable supply of furs; and Newfoundland is famous for its fish. Our trade with Canada, Nova Scotia, &c., is very extensive; but this has been, in a considerable degree, ascribable to the heavy discriminating duty on timber from the north of Europe, which forced the importation of a dearer and a worse article from Canada. The other imports are wheat, ashes, furs, skins, turpentine, &c. The exports are principally woollens, cottons, and linens, hardware, iron and steel, soap and candles, earthenware, apparel, glass, cordage, coal, butter and cheese, &c.

9. *West Indian Colonies.*—Sugar forms the grand article of import from these colonies. Next to it is coffee; and then follow rum, cotton, pimento, molasses, mahogany, logwood, fustic, cocoa, cochineal, ginger, hides, &c. The exports are principally cotton-stuffs, linens, woollens, apparel, soap and candles, hardware, iron and steel, fish, earthenware, cordage, beef and pork, arms and ammunition, &c.

TABLES.

I. *Official and Declared Values of Exports of British and Irish Produce and Manufactures; and Official Value of Exports of Foreign and Colonial Merchandize from Great Britain; and Official Value of Imports into the same, for the following Years.*—(Parl. Paper, No. 243, Sess. 1830, and Finance Accounts.)

Years ending the 5th of January,	Exports. British and Irish Produce and Manufactures from Great Britain.		Exports. Foreign and Colonial Merchandize from Great Britain.	Imports. Into Great Britain.
	Official Value.	Declared Value.	Official Value.	Official Value.
	£.	£.	£.	£.
1799	18,556,891	31,252,836	8,760,196	25,122,203
1800	22,284,941	35,903,850	7,271,696	24,066,700
1801	22,821,936	36,929,007	11,549,681	28,257,781
1802	24,501,608	39,730,659	10,336,966	30,435,268
1803	25,195,893	45,102,230	12,677,431	28,308,373
1804	20,042,596	36,127,787	8,032,643	25,104,541
1805	22,132,367	37,135,746	8,938,741	26,454,281
1806	22,907,371	37,234,396	7,643,120	27,384,020
1807	25,266,546	39,746,581	7,717,555	25,504,478
1808	22,963,772	36,394,443	7,624,312	25,326,845
1809	24,179,854	36,306,385	8,776,775	25,660,953
1810	22,916,858	46,049,777	12,750,358	30,170,292
1811	23,299,408	47,000,926	9,357,435	27,613,294
1812	21,523,532	30,850,618	6,117,720	25,240,904
1813	28,447,912	39,334,526	9,533,065	24,923,922
1814	Records destroyed by fire.			
1815	32,200,580	43,447,373	19,157,818	32,620,771
1816	41,712,002	49,653,245	15,708,435	31,822,053
1817	34,774,521	40,328,940	13,441,665	26,374,921
1818	39,233,467	40,349,235	10,269,271	29,910,502
1819	41,960,555	45,180,150	10,835,800	35,845,340
1820	32,983,689	34,252,251	9,879,236	29,681,640
1821	37,820,293	35,569,077	10,525,026	31,515,222
1822	40,194,681	35,623,127	10,602,090	29,769,122
1823	43,558,488	36,176,897	9,211,928	29,432,376
1824	43,166,039	34,589,410	8,588,996	34,591,264
1825	48,024,952	37,600,021	10,188,596	36,056,561
1826	46,453,022	38,047,330	9,155,305	42,660,954
1827	40,332,854	30,847,328	10,066,503	36,174,350

Table I.—*continued.*

Years ending the 5th of January,	Exports. British and Irish Produce and Manufactures from Great Britain. Official Value.	Exports. British and Irish Produce and Manufactures from Great Britain. Declared Value.	Exports. Foreign and Colonial Merchandize from Great Britain. Official Value.	Imports. Into Great Britain. Official Value.
	£.	£.	£.	£.
1828	51,279,102	36,394,817	9,806,343	43,489,346
1829	52,019,728	36,150,379	9,928,655	43,536,187
1830	55,465,723	35,212,873	10,606,441	42,311,649
1831	60,492,637	37,691,302	8,535,786	44,815,397
1832	60,090,123	36,652,694	10,729,943	48,161,661
1833	64,582,037	36,046,027	11,036,759	43,237,417
1834	69,633,854	39,305,513	9,820,586	44,529,287
1835	73,495,536	41,286,594	11,549,913	47,908,931*
1836	77,932,616	46,926,370	12,783,802	47,463,610
1837	84,883,276	53,015,431	12,384,538	55,733,419
1838	72,312,207	41,911,898	13,223,331	53,224,874
1839	92,107,898	49,640,896	12,702,660	59,878,905
1840	96,947,122	52,701,509	12,779,057	60,346,066
1841	102,263,512	50,896,556	13,765,618	65,873,411
1842	101,780,753	51,217,658	14,714,635	62,684,587
1843	99,911,012	47,012,651	13,577,000	63,389,080
1844	117,574,563	51,932,056	13,947,513	68,433,050
1845	131,338,347	58,316,315	14,387,518	73,547,788
1846	134,385,892	59,837,660	16,259,126	83,330,609

* The great increase in the *official*, and the comparatively stationary amount of the *real*, value of the exports, has occasioned a great deal of erroneous discussion. The rates by which the official values of the exports are estimated were fixed in 1696, so that they have long ceased to be any test of their actual value, and are of use only as showing the fluctuations in the *quantities* exported. To supply this deficiency a plan was set on foot by Mr. Pitt, for keeping an account of the real value of the exports from the declarations of the exporters. Now, it has been contended, that, while the great increase in the official value of the exports since 1815 shows that the quantity of the articles exported has been proportionally augmented, their nearly stationary real value shows that we are selling this larger quantity for about the same price,—a result which is said to be most injurious. But the circumstance of a manufacturer or a merchant selling a large or a small quantity of produce at the same price, affords no criterion of the advantageousness of the sale; for if, through improvements in the arts or otherwise, a particular article may now be produced for half the cost of its production 10 or 20 years ago, it is obvious that double the quantity may be afforded at the same price without injury to the producers. And this has been most strikingly the case with the great articles of cotton, hardware, &c. The fall in the price of the former enables us to export and sell with a profit, (for, unless such were the case, does any one suppose the exportation would continue?) at the same price, more than double the cotton stuffs and twist that we exported in 1815? Surely, however, this is, if anything can be, a decisive proof of manufacturing improvement and commercial prosperity.

II. *Account of the real or declared Value of the various Articles of the Manufacture and Produce of the United Kingdom Exported to Foreign Countries during each of the Six Years ending with* 1844; *specifying the Countries to which they were Exported, and the Value of those Annually Shipped for each; and showing also the Average Amount of Exports during the said Six Years to each Country, and to each of the Five Great Divisions of the Globe; and the Average Proportion Exported to each, supposing the whole Exports to be* 1000.

COUNTRIES.	1839	1840	1841	1842	1843	1844	Average Annual Amount of Exports, 1839-44.	Average Annual Proportion Exported to each Country, supposing the whole Exports to be 1000.
Europe.	£.	£.	£.	£.	£.	£.	£.	£.
Russia	1,776,426	1,602,742	1,607,175	1,385,953	1,385,519	2,123,926	1,816,124	34·646
Sweden	121,850	119,425	127,813	129,313	131,302	169,475	146,363	2·792
Norway	81,534	73,016	117,738	134,704	151,377	152,284	110,442	2·273
Denmark	143,732	201,462	191,481	194,304	260,176	246,679	219,972	4·063
Prussia	206,896	219,345	363,821	376,651	483,004	505,384	359,179	6·852
Germany	5,215,155	5,408,499	5,651,033	6,202,700	6,168,038	6,151,523	5,798,992	110·645
Holland	3,563,792	3,416,190	3,610,677	3,573,362	3,564,720	3,131,970	3,476,818	66·326
Belgium	881,834	880,286	1,066,040	1,069,490	964,650	1,471,251	1,063,925	20·296
France	2,298,307	2,378,149	2,902,002	3,193,939	2,534,398	2,658,259	2,660,592	50·755
Portugal Proper	1,135,426	1,110,244	1,036,212	947,855	1,092,134	1,158,847	1,079,870	20·591
Azores	47,063	44,743	33,280	39,502	43,392	56,537	43,196	·824
Madeira	33,493	33,157	24,693	25,047	36,969	31,736	30,835	·588
Spain and the Balearic Islands	262,231	404,252	413,849	322,614	376,013	509,207	381,361	7·275
Canary Islands	47,710	45,872	49,738	54,554	41,734	46,323	47,655	·909
Gibraltar	1,170,702	1,111,176	1,053,367	937,719	1,176,737	1,049,367	1,083,211	20·664

Table II.—*continued.*

COUNTRIES.	1839	1840	1841	1842	1843	1844	Average Annual Amount of Exports, 1839–44.	Average Annual Proportion Exported to each Country, supposing the whole Exports to be 1000.
	£.	£.	£.	£.	£.	£.	£.	£.
Italy and the Italian Islands	2,079,010	2,060,288	2,3.8,697	2,4.4,197	2,960,985	2,369,240	2,357,075	48·781
Malta	183,238	166,845	228,784	229,204	284,346	200,009	204,918	3·909
Ionian Islands	84,010	89,204	119,523	93,000	127,348	123,928	101,310	1·823
Turkey and Continental Greece (exclusive of the Morea)	1,178,718	1,188,559	1,220,201	1,472,288	1,660,783	2,291,404	1,500,159	28·618
Morea and Greek Islands	23,122	25,227	34,284	17,358	30,036	28,201	26,871	·507
Isles of Guernsey, Jersey, Alderney, and Man	340,444	357,214	360,407	364,350	385,367	387,700	364,500	6·955
Total	20,797,804	21,491,245	22,854,340	23,900,344	24,360,226	25,043,357	23,077,619	440·245
Asia.								
Syria and Palestine	231,500	223,080	427,008	275,531	608,031	677,528	408,307	7·012
Arabia	5,080	2,115	2,956	5,088	8,984	11,000	5,037	·106
East India Company's Territories and Ceylon	4,748,607	6,023,192	5,675,000	5,169,888	6,404,519	7,695,686	5,989,479	118·206
China	851,980	564,196	662,370	969,311	1,456,180	2,305,617	1,161,652	22·160
Sumatra and Java	207,731	319,521	285,514	206,132	210,815	276,018	304,905	5·817
Philippine Isles	43,448	215,463	84,419	47,019	152,046	92,517	124,160	2·368
Total	6,191,939	7,447,519	7,257,548	6,673,030	8,842,365	11,05 ,353	7,845,530	15·571
Africa.								
Egypt	123,850	79,068	238,486	221,008	247,3 5	402,101	218,618	4·169
Tripoli, Barbary, and Morocco	74,078	68,904	44,195	41,958	89,494	17,740	54,215	1·034
Western Coast of Africa	488,870	402,128	410,799	459,685	500,609	456,414	486,001	9·187
Cape of Good Hope	464,190	417,091	384,574	369,076	502,577	434,151	426,953	8·144
Eastern Coast of Africa	..	..	28	..	..	127	23	..
African Ports on the Red Sea	196	..	..	262	40	184	108	·003
Ascension Islands	333	..	541	1,145	4,976	2,204	1,533	·029
Cape de Verd Islands	189	4,547	2,8 5	1,480	1,577	1,187	2,111	·040
St. Helena	12,966	9,804	7,921	17,550	25,139	21,006	15,898	·302
Mauritius	211,731	225,612	340,140	344,922	256,014	295,15	277,711	5·250
Madagascar	..	..	..	..	..	1,998	333	·006
Total	1,355,549	1,302,429	1,429,493	1,357,035	1,718,891	1,615,580	1,477,291	28·182
America.								
British North American Colonies	3,047,671	2,947,918	2,947,031	2,833,925	1,781,211	3,070,861	2,666,374	50·866
British West Indies	3,986,596	3,574,070	2,504,004	2,501,425	2,862,441	2,451,477	2,998,496	57·201
Hayti	362,763	251,979	169,142	141,896	99,209	174,457	204,908	3·909
Cuba and other Foreign West Indies	891,626	863,369	805,441	711,938	673,797	999,474	872,666	16·648
United States of America	8,830,204	5,283,020	7,066,642	8,528,907	5,018,514	7,988,079	6,253,344	119·269
Mexico	660,170	465,836	434,901	374,160	597,037	494,095	504,367	9·626
Texas	..	..	6,767	6,574	5,430	2,906	3,779	·072
Guatemala	627	2,373	21,265	..	5,103	..	4,893	·093
Columbia	297,112	359,743	156,72	231,711	378,321	224,658	276,791	5·280
Brazil	2,650,718	2,625,853	2,556,534	1,750,805	2,140,133	2,418,388	2,357,286	44·969
States of the Rio de la Plata	710,524	614,847	969,862	969,791	700,416	784,564	794,784	15·162
Chili	1,103,078	1,334,878	488,089	930,466	938,959	897,683	928,849	17·719
Peru	635,056	790,991	898,046	694,813	659,091	653,880	688,2 2	12·634
Falkland Islands	..	..	145	364	538	98	192	·004
Foreign Settlements on the North-west Coast of America	..	..	..	..	..	12,611	2,102	·040
Total	23,165,339	19,023,612	18,756,391	14,282,684	16,047,165	20,073,836	18,561,415	354·092
Australia.								
New South Wales, Van Diemen's Land, and Swan River	1,679,300	2,084,285	1,269,331	916,164	1,211,815	744,468	1,384,265	24·832
New Zealand and South Sea Islands	23,450	47,240	67,275	42,788	95,247	47,512	53,920	1·028
South Whale Fishery	..	..	25	15	..	..	6	..
Total	1,702,849	2,051,625	1,336,631	958,967	1,307,062	791,994	1,356,191	25·910

RECAPITULATION.

Europe	20,797,804	21,491,245	22,854,340	23,900,344	24,360,226	25,043,357	23,077,619	440·245
Asia	6,191,939	7,447,519	7,257,548	6,673,030	8,842,365	11,05 ,353	7,845,530	151·571
Africa	1,355,549	1,302,429	1,429,493	1,357,035	1,718,891	1,615,580	1,477,291	28·182
America	23,165,339	19,023,612	18,756,391	14,282,684	16,047,165	20,073,836	18,561,415	354·092
Australia	1,702,849	2,051,625	1,336,631	958,967	1,307,062	791,994	1,356,191	25·910
Grand Totals	53,223,580	51,406,430	51,634,023	47,381,023	52,279,709	58,534,292	52,419,226	1,000·000

III. *Description and Value of the Produce and Manufactures of the United Kingdom Exported from Great Britain to Foreign Parts, according to the Real or Declared Value thereof, in* 1843, 1844, *and* 1845.

Species of Exports.	1843	1844	1845
	£.	£.	£.
Alum	13,140	10,792	13,550
Apparel, Slops, and Negro Clothing	613,671	631,285	748,061
Arms and Ammunition	387,928	390,338	518,888
Bacon and Hams	49,888	42,953	41,481
Beef and Pork, salted	36,598	29,496	31,853
Beer and Ale	379,045	432,471	431,552
Books, printed	146,574	174,255	186,398
Brass and Copper Manufactures	1,644,048	1,736,295	1,694,120
Bread and Biscuit	3,528	2,913	2,585
Butter and Cheese	178,835	135,043	150,590
Cabinet and Upholstery Wares	79,350	71,207	76,943
Coals and Culm	687,804	670,088	971,158
Cordage	93,199	93,695	124,102
Corn, Grain, Meal, and Flour	36,918	25,896	74,963
Cotton Manufactures	16,249,268	18,811,438	19,158,793
—— Yarn	7,193,771	6,988,184	6,963,235
Cows and Oxen	6,949	3,370	1,952
Earthenware of all sorts	628,783	766,764	828,084
Fish of all sorts	319,951	273,851	242,646
Glass of all sorts	339,189	388,656	356,142
Haberdashery and Millinery	718,064	856,282	846,294
Hardwares and Cutlery	1,745,260	2,178,784	2,182,704
Hats, Beaver, and Felt	67,231	58,372	55,017
—— of all other sorts	48,141	53,580	68,700
Hops	12,720	9,223	10,669
Horses	104,274	116,574	106,253
Iron and Steel, wrought and unwrought	2,586,136	3,188,439	3,496,972
Lard	13,105	13,252	15,770
Lead and Shot	251,900	270,314	210,941
Leather, wrought and unwrought	369,082	364,708	349,249
—— Saddlery and Harness	90,251	98,687	108,950
Linen Manufactures	2,783,629	3,010,479	3,020,595
—— Yarn	819,450	1,013,761	1,034,725
Machinery and Mill-work	712,214	776,255	904,834
Mathematical and Optical Instruments	28,338	28,719	30,710
Molasses	45,926	29,364	48,232
Mules	1,681	897	1,026
Musical Instruments	71,812	68,804	74,011
Oil, Hempseed, Linseed, and Rapeseed	55,205	125,894	164,677
— Train, of Greenland Fishery, &c.	3,314	5,515	16,174
Painters' Colours	202,563	206,030	221,492
Plate, Plated Ware, Jewellery, and Watches	171,898	269,650	294,128
Potatoes	5,347	5,708	23,388
Salt	207,952	218,065	213,817
Saltpetre, British refined	45,209	32,411	43,462
Seeds of all sorts	9,495	9,689	10,215
Silk Manufactures	667,938	736,405	766,405
Soap and Candles	310,230	286,963	242,756
Soda	93,797	113,219	135,916
Spirits	13,010	22,064	27,608
Stationery of all sorts	264,244	262,727	280,074
Sugar, refined	413,652	330,950	472,947
Tin, unwrought	110,481	77,893	48,777
—— and Pewter Wares and Tin Plates	427,631	506,561	637,049
Tobacco (manufactured) and Snuff	11,326	12,831	13,276
Tongues	4,048	3,098	3,607
Umbrellas and Parasols	62,261	73,590	60,769
Whalebone	1,674	2,529	1,953
Wool, Sheep's	351,321	479,823	492,939
—— of other sorts	18,725	29,178	27,287
Woollen and Worsted Yarn	742,838	958,217	1,066,925
Woollen Manufactures	6,789,943	8,203,427	7,692,087
All other Articles	1,390,303	1,528,394	1,702,182
Total real or declared Value of the Produce and Manufactures of the United Kingdom Exported from Great Britain	51,932,056	58,316,315	59,837,660
Ireland, Total Exports from	346,393	267,977	273,421
Total Exports from United Kingdom	52,278,449	59,184,292	60,111,081

IV. *Account of the Quantities of the different Articles of Foreign and Colonial Merchandise Imported into, Exported from, and Retained for Consumption in, the United Kingdom, with Nett Revenue accruing thereon, during the Years ended 5th January,* 1844 *and* 1845.

Description of Merchandise.	Quantities Imported.		Quantities Exported.		Quantities Retained for Consumption.		Nett Revenue.	
	1843*	1844	1843	1844	1843	1844	1843	1844
							£.	£.
Annatto . . . . . cwts.	3,271	3,494	229	307	3,347	2,609	175	144
Arrow-root . . . . . ,,	9,236	10,274	264	200	8,499	10,018	623	709
Ashes, Pearl and Pot . ,,	146,351	164,485	5,158	700	145,081	162,087	248	405
Barilla and Alkali . . tons	2,599	2,663	493	385	2,280	2,607	837	866
						Deduct Drawbacks and Repayments.	1,152	71
						Excess of Drawback	255	795 Nett Rev.
Bark, for tanning or dyeing . . . . . cwts.	837,332	632,907	1,430	2	833,344	643,986	11,239	8,225
—— not for tanning or dyeing . . . . . ,,	3,535	2,665	4,456	2,433	679	661	49	68
Borax . . . . . ,,	847	1,427	2,940	3,637	339	349	5	4
Boracic Acid . . . . . ,,	14,986	15,060	22	620	13,716	15,953	381	422
Brimstone	367,219	452,936	54,298	27,029	640,861	545,025	17,216	14,576
Bristles . . . . . lbs.	2,020,435	2,132,300	40,941	76,520	1,956,268	1,909,375	25,472	25,088
Cocoa, viz. :—								
British Possessions . ,,	1,501,046	3,119,714	74,344	53,502	2,546,645	2,534,894		
East India . . . ,,	...	...	...	...	..	..		
Foreign Possessions . ,,	2,294,485	611,542	494,126	1,213,692	1,289	55,063		
All sorts . . ,,	3,795,531	3,731,256	568,470	1,267,194	2,547,934	2,589,977	13,621	15,172
Husks and Shells . ,,	476,772	750,706	..	5,340	504,638	759,784		
Chocolate and Cocoa Paste . . . . . ,,	23,742	9,902	4,853	589	19,760	16,542		
Coffee, viz. :—								
British Possessions . ,,	18,277,553	24,113,230	125,824	155,703	20,139,630	19,336,624	697,376	681,616
Foreign . . . . . ,,	20,664,916	22,409,958	12,557,619	6,150,279	9,848,774	11,815,758		
All sorts . . ,,	38,942,469	46,523,188	12,683,443	6,305,982	29,979,404	31,352,382		
Cork, unmanufactured tons	2,723	3,465	2	2	3,029	3,544	5,606	188
Cotton Wool from Foreign Countries, viz. :—								
U. S. of America. . lbs.	574,733,520	517,218,622						
Brazil . . . . . ,,	18,675,123	21,084,744						
Turkey, Syria, and Egypt . . . . ,,	8,570,160	5,582,810	..	..	..	..		
Other Foreign Countries . . . . ,,	4,024,875	11,874,833						
Total from Foreign Countries . . . ,,	606,008,678	555,760,509					742,491	682,042
Cotton Wool from British Possessions, viz. :—								
East Indies and Mauritius, the growth of ,,	65,597,567	88,639,606						
——— ——, foreign . ,,	112,162	168						
British West Indies, the growth of . . ,,	310,557	221,656	..	..	..	..		
——— ——, foreign . ,,	949,887	1,485,538						
Other British Possessions, the growth of ,,	203,412	3,248						
——— ——, foreign . ,,	10,853	577						
Total from British Possessions . . ,,	67,184,438	90,350,795						
Total from Foreign Countries . . . ,,	606,008,678	555,760,509						
Total Quantities . ,,	673,193,116	646,111,304	39,619,179	47,222,541	581,303,105	554,196,602		
Cotton Manufactures, viz.:—								
Piece Goods of India. pieces	130,862	122,085	209,531	189,584	£32,483	£39,132	3,856	4,715
Manufactures at value £.	76,960	106,068	45,270	67,757				
Yarn . . . . . lbs.	664,322	513,628	590,505	446,040	68,082	55,565		
Dyeing Stuffs, viz.:—								
Cochineal . . . . cwts.	10,069	10,385	5,612	7,235	5,691	5,043	389	356
Fustic . . . . . tons	11,348	6,489	1,167	1,489	9,144	6,148	982	687
Gum Arabic . . . cwts.	18,837	21,893	6,341	7,118	20,031	17,606	1,065	973
—— Senegal . . . ,,	3,791	1,497	335	138	11,153	2,620	582	144
—— Animi and Copal ,,	3,359	6,493	1,508	2,467	2,085	2,770	117	157
—— Tragacanth . . ,,	393	972	2	20	421	976	22	51
Indigo . . . . . ,,	58,285	87,960	36,960	51,589	23,618	30,470	1,869	1,809
Lac Dye . . . . . ,,	10,700	7,636	3,279	4,907	6,393	3,068	364	443
—— Shellac . . . . ,,	27,790	14,873	12,325	7,089	7,155	10,061	390	546
Logwood . . . . . tons	20,841	22,410	2,640	3,281	19,980	20,314	2,125	2,169
Madder . . . . . cwts.	131,633	96,085	582	368	149,259	93,111	3,922	2,509
—— Root . . . . . ,,	101,404	95,970	25	26	101,967	96,159	1,307	1,274
Nicaragua Wood . . tons	2,687	4,559	444	1,016	2,533	3,415	272	370

Table IV.—*continued.*

Description of Merchandise.	Quantities Imported.		Quantities Exported.		Quantities Retained for Consumption.		Nett Revenue.	
	1843	1844	1843	1844	1843	1844	1843	1844
							£.	£.
Safflower . . . . cwts.	6,181	6,256	1,920	4,260	2,889	2,636	160	154
Shumac . . . . tons	12,886	9,652	171	220	12,596	9,512	670	513
Smalts . . . . lbs.	178,940	202,580	80,120	60,187	138,715	125,633	1,214	1,109
Valonia . . . . tons	6,941	9,807	3	7	6,847	10,210	1,795	2,700
Yellow Berries . . cwts.	6,012	8,964	446	801	7,454	8,239	358	452
Zaffres . . . . ,,	4,725	4,238	..	17	4,822	4,363	253	227
Elephants' Teeth . ,,	5,837	5,202	1,414	1,688	3,898	3,668	216	244
Flax and Tow, or Codilla of Hemp and Flax . . . . ,,	1,437,150	1,563,494	11,657	4,732	1,422,992	1,583,328	6,295	6,977
Fruits, viz.:—								
Apples, raw . . . bushels	314,354	182,530	9	..	313,191	182,674	8,108	4,887
Almonds . . . . cwts.	15,683	20,605	10,414	7,631	10,560	9,766	6,307	6,010
Chestnuts . . . . bushels	19,372	28,624	11	18	24 693	28,584	2,474	2,954
Currants . . . . cwts.	240,274	284,378	20,476	7,335	254,330	284,694	226,364	251,659
Figs . . . . ,,	34,053	31,559	1,332	1,608	32,371	33,206	25,517	26,102
Grapes, at value . £.	30,289	25,278	159	92	30,080	25,186	1,615	1,285
Oranges and Lemons { chests and boxes / £.	331,173	369,007	1,221	197	279,338	344,291	69,373	71,139
Plums, dried or preserved . . . . cwts.	1,291	603	..	..	7,462	5,470	407	367
——, French or Prunelloes . . . . ,,	3,371	3,632	164	71	3,323	3,785	3,499	3,969
Prunes . . . . ,,	13,750	8,497	55	151	12,279	8,033	4,508	3,202
Raisins . . . . ,,	216,399	217,233	6,423	6,212	236,826	202,230	186,378	159,272
Small Nuts . . . bushels	190,393	101,801	573	108	172,629	108,942	18,066	11,513
Walnuts . . . . ,,	30,497	33,298	41	8	31,085	33,729	3,353	3,671
Hardwoods, viz.:—								
Boxwood . . . . tons	2,779	1,328	29	129	2,029	1,857	1,074	688
Cedar . . . . ,,	2,722	3,340	220	260	2,330	2,941	1,062	1,160
Mahogany . . . ,,	20,284	25,622	1,222	882	24,052	24,071	10,237	12,734
Rosewood . . . ,,	3,262	1,106	112	106	2,915	2,123	3,074	2,087
Hats or Bonnets, Plaiting, &c., viz.:—								
Hats or Bonnets of Bast, Cane, or Horsehair . . . number	3,518	87	306	70	189	87	8	4
——, Chip . . lbs.	1,253	986	528	38	922	931	277	232
——, Straw . . ,,	6,155	6,099	1,690	2,234	3,926	3,507	1,770	1,400
Platting of Bast, Cane, or Horsehair . ,,	8	69	..	..	8	69	4	36
——, Chip . . . ,,	6,677	5,551	186	478	4,578	5,510	619	723
——, Straw . . . ,,	18,754	15,715	6,030	1,948	8,617	18,591	3,367	5,353
Straw or Grass for Platting . . . cwts.	2,893	3,602	3	12	2,878	3,591	13	16
Hemp, undressed . ,,	735,743	913,233	10,404	11,635	689,741	881,351	3,071	3,903
Hides, untanned, viz.:—								
Buffalo, Bull, Cow, Ox, or Horse . . ,,	565,768	637,886	61,207	42,412	525,230	619,115	7,624	8,672
Hides or pieces of Hides, unenumerated, at value . £.	245	91	71	..	174	91	8	4
Hides, tanned, viz.:—								
Buffalo, Bull, Cow, Ox, or Horse . . lbs.	318,451	506,980	123,392	125,084	197,029	333,874	2,969	4,490
Losh . . . . ,,	81	..	..	..	81	..	1	..
Muscovy or Russian. ,,	37,801	41,999	11,573	15,482	24,321	32,603	426	572
Hides, or pieces of Hides, at value . £.	231	30	..	..	231	30	24	3
Horns, Horn-tips, and pieces of Horns . . tons	2,231	2,597	509	453	1,442	2,246	93	135
Jalap . . . . lbs.	67,567	47,549	8,913	22,087	58,464	49,871	260	219
Iron, unwrought, in bars tons	12,795	24,304	3,986	5,877	12,029	21,530	12,033	22,492
Isinglass . . . . cwts.	1,395	2,200	18	12	1,444	1,900	3,485	4,301
Lead, pig and sheet . tons	2,775	3,058	2,440	3,200	107	49	..	..
Leather Gloves . . . pairs	1,882,228	1,871,027	84,786	86,011	1,832,881	1,834,810	29,551	29,550
Linen, viz.:—								
Cambrics and French Lawns . . . . pieces	31,396	34,621	567	257	31,071	34,353		
Lawns, not French . £.	538	396	42	31	574	365		
Damask . . . . sq. yds.	30,102	16,107	42	1,355	26,073	18,859		
—— Diaper . . . ,,	3,772	1,832	116	26	3,737	1,550		
Sails, at value . . £.	714	566	34	..	689	566		
Plain Linen & Diaper, sq. yds.	28,044	203,678	28,044	203,678	..	..	12,005	12,453
—— —— . . . . ells	89,656	9,600	89,656	9,600	..	..		
—— —— . . . . pieces	14,447	18,366	14,447	18,366	..	..		
—— —— . . . £.	5,825	5,914	..	25	5,825	5,889		
Lawns (not French), Plain Linen, &c., Diaper, and Manufactures of Linen, unenumerated, at value . . . . ,,	10,704	11,269	1,220	1,079	9,484	9,350		
Linen Yarn . . . cwts.	2,977	9,229	..	82	2,977	3,219	120	169
Liquorice Juice . . ,,	7,519	6,288	727	815	8,503	9,524	12,315	12,311
—— Paste . . . . ,,	3,016	4,075	67	1,926	1,800	1,883	1,339	1,966
Molasses . . . . ,,	616,595	501,240	10,633	10,641	440,469	613,412	214,080	290,688
Oil, Castor . . . . ,,	9,691	10,922	1,954	1,057	6,504	11 816	461	669

Table IV.—*continued.*

Description of Merchandise.	Quantities Imported.		Quantities Exported.		Quantities Retained for Consumption.		Nett Revenue.	
	1843	1844	1843	1844	1843	1844	1843	1844
							£.	£.
Oil, Olive . . . . tuns	12,094	14,962	399	378	9,967	10,619	21,734	23,413
——, Cocoa Nut . . cwts.	67,610	67,866	23,703	33,082	29,225	42,480	1,189	1,537
——, Palm . . . . ,,	418,429	414,648	77,025	67,648	377,705	361,747	10,050	9,476
——, Train, Spermaceti, and Blubber . } tuns	23,957	20,844	251	1,350	22,994	20,626	33,807	33,732
Opium . . . . . lbs.	250,086	248,340	320,947	156,871	32,051	32,609	1,729	1,717
Provisions, viz.:—								
Bacon and Hams . cwts.	7,367	6,768	1,433	1,739	4,398	3,338	2,075	2,414
Beef, salted . . . ,,	6[illegible],633	106,766	6,700	10,189	3,019	5,234	670	766
Pork, do. . . . ,,	27,118	30,790	25,817	6,0[illegible]1	6,308	1,811	1,295	344
Butter, do. . . . ,,	151,996	185,511	4,230	724	147,898	180,601	151,614	186,243
Cheese . . . . ,,	179,389	213,820	7,973	7,152	165,216	210,480	90,889	115,572
Eggs . . . . . number	70,415,931	67,563,167	..	..	70,415,931	67,563,167	25,672	24,634
Fish, Anchovies . . lbs.	195,772	225,040	16,606	13,184	152,418	198,499	1,328	1,826
——, Eels . . . ship lbs.	81 & 115 lbs.	86 & 50 lbs.	..	..	81 & 115 lbs.	86 & 50 lbs.	1,196	1,174
——, Salmon . . cwts.	926	1,095	38	15	845	1,117	444	586
——, Turbot & Soles ,,	101	84	..	..	101	84	27	22
—— of British taking ,,	78,817	75,981	10,059	8,870	68,758	72,111	..	..
Quicksilver . . . lbs.	2,080,507	2,148,351	1,286,922	1,713,735	251,810	244,664	1,108	1,060
Rags and other Materials for making Paper . } tons	7,954	7,061	145	112	7,825	7,201	213	193
Rhubarb . . . . . lbs.	268,766	206,015	147,232	123,351	59,774	54,822	793	724
Rice, cleaned . . . cwts.	457,889	456,802	Foreign, Cleaned. 197,266 / Cleaned in the United Kingdom. 10,063	161,124 / 23,177	255,190	322,900	8,033	8,778
——, in the husk . quarters	19,966	26,631	2,518	10	15,040	27,395	5,313	10,056
—— Meal, reduced from Rice in Bond . } cwts.	..	..	..	..	..	..	..	..
Sago . . . . . ,,	29,219	37,615	3,825	2,172	41,332	44,276	2,203	2,377
Saltpetre and Cubic Nitre . . . . . } ,,	627,172	349,870	144,857	103,951	348,792	329,696	10,096	9,294
Seeds, viz.:—								
Caraway . . . . ,,	5,759	7,049	142	426	4,310	7,394	2,272	3,894
Clover . . . . . ,,	71,133	124,759	2,119	645	70,467	92,064	36,934	48,320
Flax and Linseed . quarters	470,539	616,947	17,323	24,0[illegible]2	450,078	593,1[illegible]5	2,075	2,661
Onion . . . . . cwts.	1,070	566	3	4	1,300	676	2,069	703
Rape . . . . . quarters	87,097	69,934	768	2,236	85,729	67,329	291	304
Tares . . . . . ,,	12,130	22,716	6,244	..	11,619	23,357	3,044	6,108
Silk, Raw, viz.:—								
From India . . . lbs.	1,195,433	1,669,133						
Cape of Good Hope . . } ,,	2,055	7,520						
China . . . . ,,	264,201	339,792						
Turkey, Syria, and Egypt . } ,,	585,814	812,214	..	..	..	..	15,911	17,520
Italy . . . . ,,	86,692	13,302						
France . . . ,,	651,909	771,529						
Other countries ,,	539,209	536,441						
Total of Raw Silk . ,,	3,476,313	4,149,932	166,067	227,591	3,554,904	3,918,282		
Silk, Waste, Knubs and Husks, viz.:—								
From India . . . cwts.	18	4						
China . . . . ,,	..	2						
Italy . . . . ,,	9,269	11,246	..	..	..	..	699	831
France . . . ,,	3,367	3,218						
Other countries ,,	631	1,148						
Total of Waste Silk. ,,	13,285	15,618	68	101	13,240	15,727		
Silk, Thrown, viz.:—								
From Italy . . . lbs.	21	106	..	..				
France . . . ,,	383,618	328,352	Foreign Thrown. 11,751 / British Thrown. Nil.	21,533 / Nil.	..	..	6 809	21,951
Other countries ,,	49,934	67,528						
Total of Thrown Silk ,,	383,573	400,986	11,751	21,533	333,602	405,927		
Silk Manufactured Goods, viz.:—								
Manufactures of Europe.								
Silk and Satin . . ,,	251,511	270,559	22,988	13,781	234,815	253,355		
Gauze . . . . . ,,	13,524	18,209	4,378	583	9,091	17,528		
—— Tissue Foulards ,,	632	39	..	..	648	39		
Crape . . . . . ,,	3,209	3,916	550	559	2,664	3,357		
Velvet . . . . . ,,	18,686	18,174	2,768	2,670	15,891	15,747		
Ribbons, Embossed or Figured with Velvet . . . } ,,	794	635	60	18	734	617		
Fancy Silk, Net, or Tricot . . . } ,,	3,692	4,219	32	107	3,660	4,111		
Silk mixed with Metal ,,	243	309	71	89	170	201		
Total entered by weight ,,	292,291	316,053	30,247	19,507	267,673	295,125	233,104	277,154

Table IV.—*continued.*

Description of Merchandise.	Quantities Imported.		Quantities Exported.		Quantities Retained for Consumption.		Nett Revenue.	
	1843	1844	1843	1844	1843	1844	1843	1844
							£.	£.
Plain Silk, or Net called Tulle . . . sq. yards	1,165	2,226	80	674	1,185	1,552		
Millinery, viz.:—								
Turbans or Caps . number	695	1,081	332	503	363	553		
Hats or Bonnets . . ,,	1,425	1,889	724	971	701	918		
Dresses, ... ,,	330	496	195	136	193	362		
Entered at value . £.	32	85	..	..	32	85		
Manufactures of Silk, or of Silk and other materials, not particularly enumerated . ,,	127,992	189,824	14,592	14,721	118,400	175,203		
Manufactures of India, viz.:—								
Bandannoes, Romals, and Silk Handkerchiefs . . . pieces	440,344	562,801	360,623	445,481	97,710	128,718		
Silk and Crape in pieces . . . . ,,	25,542	20,102	27,416	17,840	2,333	1,218	7,427	8,506
Crape Shawls, Scarfs, and Handkerchiefs . number	8,551	12,685	4,682	10,886	192	288		
Skins and Furs, viz.:—								
Bear, undressed . . ,,	11,640	11,199	9,645	10,443	1,235	925	157	126
Beaver, do. . . ,,	49,688	45,926	647	38	52,048	45,593	742	600
Cat, do. . . ,,	5,430	14,617	3,678	2,764	1,992	10,007	9	44
Coney, do. . . ,,	60,665	49,692	11,980	12,785	63,279	36,936	19	13
Deer, do. . . ,,	175,604	120,633	118,682	82,770	79,267	62,304	346	270
Ermine, do. . . ,,	105,847	116,943	3,645	5,495	89,073	120,182	201	263
Fitch, do. . . ,,	174,308	176,457	3,317	54,231	173,415	67,840	707	425
Fox, do. . . ,,	89,927	75,543	60,669	70,605	4,120	306	121	33
Goat, do. . . ,,	512,227	256,715	232,238	108,648	287,069	223,961	348	242
Kid, in the hair . . ,,	92,716	176,563	42,656	19,537	54,744	120,063	12	10
——, dressed . . ,,	446,372	416,709	1,140	1,282	444,071	417,288	1,198	1,126
Lamb, undressed . ,,	1,288,902	1,489,138	11,723	977	1,332,404	1,545,618	233	271
——, tanned, tawed, or dressed . . . ,,	10,391	8,689	5,024	559	7,348	3,515	35	18
Lynx, undressed . ,,	9,852	11,856	11,271	11,661	6,278	3,023	92	55
Martin, do. . . ,,	208,881	220,315	15,728	15,469	182,515	208,704	2,627	3,063
Mink, do. . . ,,	139,156	183,434	58,311	50,011	82,934	92,793	373	340
Musquash, do. . . ,,	865,387	538,254	198,125	144,977	1,045,713	849,746	300	205
Nutria, do. . . ,,	836,785	83,919	130,692	107,642	560,046	165,071	299	99
Otter, do. . . ,,	17,825	25,692	20,797	14,281	145	322	44	13
Racoon, do. . . ,,	381,049	870,750	367,110	412,647	57,556	8,343	433	62
Seal, do. . . ,,	772,697	563,947	14,922	109,900	771,383	555,341	2,113	1,432
Sheep, do. . . ,,	421,390	149,348	7,996	2,878	348,509	304,331	619	396
Squirrel or Calabar, undressed . . . ,,	1,987,865	2,404,220	56,010	12,002	1,872,594	2,227,365	3,027	3,674
Spelter or Zinc . . . tons	10,178	10,393	6,445	5,625	3,944	5,388	223	201
Spices, viz.:—								
Cassia Lignea . . lbs.	2,470,502	1,278,413	1,926,413	1,402,313	134,399	112,127	1,709	1,516
Cinnamon . . . ,,	406,397	951,220	422,303	661,634	16,706	16,462	242	235
Cloves . . . . ,,	120,875	283,178	26,504	70,003	99,943	128,319	2,622	3,354
Ginger . . . . cwts.	9,664	13,388	7,941	3,124	10,401	14,756	2,302	3,389
Mace . . . . lbs.	29,113	33,838	9,701	19,795	20,348	22,635	2,074	2,078
Nutmegs . . . ,,	209,602	152,110	36,365	27,514	167,936	108,943	20,527	15,591
Pepper . . . . ,,	4,083,160	3,087,099	2,651,650	4,040,851	2,738,421	3,094,891	71,885	81,177
Pimento . . . cwts.	18,920	2,661	21,200	5,430	3,363	3,084	942	900
Spirits, viz.:—								
Rum . . . . gallons	3,729,754	3,120,010	1,070,250	741,211	2,103,715	2,196,552	921,905	1,026,067
Brandy . . . . ,,	2,408,378	1,509,099	767,460	396,413	1,038,347	1,028,073	1,185,478	1,167,817
Geneva . . . . ,,	362,689	880,883	317,709	335,125	13,912	14,864	15,861	16,861
Foreign and Colonial of all sorts . . . ,,	72,634	701,370	23,624	162,661	5,982	6,077	7,153	7,544
—— ——, mixed in Bond . . . . ,,	..	..	281,171	427,204	..	..	..	..
Sugar, viz.:—								
West India, of British Possessions . . cwts.	2,503,567	2,452,778						
Mauritius . . . ,,	476,923	540,620	Raw.	Raw.				
East India . . . ,,	1,102,176	1,101,261	573,644	393,721				
Foreign—			Actual	Actual				
Certified as not being produce of slave labour . . ,,	937,903	7,516	Weight.	Weight.	4,028,307	4,129,443	5,076,326	5,203,270
Not so certified .		777,900	260,006	210,117				
Tallow . . . . ,,	1,171,618	1,079,486	9,242	6,815	1,174,945	1,081,089	194,735	174,373
Tar . . . . . lasts	13,779	9,686	630	744	12,724	9,188	1,715	1,265
Tea . . . . . lbs.	46,612,727	58,147,078	4,564,141	4,828,585	40,228,393	41,863,770	4,407,642	4,524,198
Terra Japonica & Cutch tons	7,334	5,382	814	502	6,272	6,567	1,663	1,719
Tin . . . . . cwts.	30,186	12,085	18,007	18,151	1,956	2,056	601	648
Tobacco, viz.:—								
Unmanufactured . lbs.	48,755,735	37,610,370	8,702,760	7,840,877	22,749,045	24,356,647		
Manufactured, or Cigars ,,	1,137,645	1,014,202	762,526	878,218	253,263	239,944		
Snuff . . . . ,,	727	1,881	1,744	1,185	219	300	3,711,227	3,852,420
British Manufactured and Cigars . . ,,	..	..	45,834	52,597	..	..		
—— —— Snuff . . ,,	..	..	7,632	8,855	..	..		
Turpentine, common . cwts.	473,185	452,211	9	12	473,313	458,634	2,084	2,029
Wax, Bees, viz.:—								
Unbleached . . . ,,	8,401	8,916	853	2,377	7,167	6,350	569	500
Bleached . . . . ,,	363	51	333	18	172	109	142	73

Table IV.—*continued.*

Description of Merchandise.	Quantities Imported.		Quantities Exported.		Quantities Retained for Consumption.		Nett Revenue.	
	1843	1844	1843	1844	1843	1844	1843	1844
							£.	£.
Whalefins . . . . cwts.	6,609	8,041	17	730	6,297	7,160	4,871	4,204
Wine, viz.:—								
Cape . . . . . gallons	116,570	423,336	1,624	3,696	332,369	349,257	48,025	50,379
French . . . . . ,,	479,733	725,508	148,554	140,503	326,498	473,789	98,344	136,450
Portugal . . . . . ,,	2,425,668	2,780,403	217,680	271,021	2,517,709	2,897,501	726,605	833,155
Madeira . . . . . ,,	245,498	226,660	101,412	149,937	93,389	111,577	27,038	32,194
Spanish . . . . . ,,	2,648,739	3,446,679	397,603	598,263	2,311,639	2,478,360	667,157	714,9.0
Other sorts, including Wine mixed in Bond . . . . ,,	850,545	782,200	291,194	300,263	487,183	538,200	140,675	155,477
All sorts of Wine . ,,	6,807,053	8,384,386	1,258,157	1,662,788	6,068,987	6,838,684	1,703,344	1,922,545
Wood and Timber, viz.:—								
Sawn or split . . . loads	609,693	727,456	6,937	5,510	573,763	716,663	450,399	574,423
By tale, Battens and gt. Batten Ends . . } hnds.	67	89	..	..	247	94	2,744	972
—, Boards, Deals, Deal Ends, and Planks . . . . } ,,	251	157	21	9	406	176	6,096	2,245
Not sawn or split . loads	707,952	757,901	786	582	724,913	750,948	160,474	285,116
Staves . . . . . ,,	57,594	73,255	341	702	59,632	67,993	24,267	33,252
Wool, Sheep and Lambs' lbs.	49,243,093	65,713,761	3,961,282	1,972,674	47,535,668	67,851,293	98,500	37,414
Woollen Manufactures, viz.:—								
Cloth for Exportation, pieces	7,146	12,189	7,146	12,189	..	..	..	..
Manufactures, at value £.	115,289	171,656	8,898	9,641	106,391	162,015	16,681	25,962
Worsted Yarn . . lbs.	112,120	121,941	7,274	3,921	111,078	118,465	2,719	3,116

Places where Foreign Trade is principally carried on.—The following table of the gross and nett duties collected at the different custom-houses of the United Kingdom affords the best measure that can be obtained of the trade of each. It must not, however, be altogether depended upon. Some ports are principally distinguished by their export, and others by their import, trade; and the greater portion by far of the customs' duties being laid on imports, the trade of the exporting ports is made to appear less than it really is, while that of the importing ports is made to appear greater. On the whole, however, the table is not very wide of the mark, and for most practical purposes may be held to be correct.

An Account of the Gross and Nett Amount of Customs' Duty received at each Port in the United Kingdom, during the Years ending 5th January, 1844 and 1845.

PORTS.	GROSS RECEIPT.		NETT RECEIPT, Exhibiting Produce after deducting Repayment of Trade Vouchers, Office Expenses, and Incidental Charges.	
	Year ending 5th January, 1844.	Year ending 5th January, 1845.	Year ending 5th January, 1844.	Year ending 5th January, 1845.
ENGLAND.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
London . . .	11,354,702 4 10	11,778,516 7 6	10,784,959 17 2	11,197,980 13 2
Aberystwith .	75 11 3	82 14 10	. .	. .
Aldborough . .	14 8 9	164 12 5	. .	. .
Arundel . . .	1,295 4 10	1,386 9 11	. .	. .
Barnstaple . .	7,426 15 5	6,634 7 10	4,415 10 0	3,691 1 8
Beaumaris . .	6,299 19 11	3,809 9 9	2,437 2 3	110 15 7
Berwick . . .	10,408 13 11	12,222 10 0	2,200 19 2	4,352 6 4
Bideford . .	3,982 0 7	4,601 17 9	876 19 3	1,858 19 10
Blackney & Clay	672 13 11	1,398 13 8	. .	. .
Boston . . .	23,023 5 3	29,259 12 3	19,279 2 9	15,565 10 6
Bridgewater .	7,643 3 5	6,790 2 8	3,491 5 4	2,251 5 11
Bridlington . .	82 3 4	127 7 6	. .	. .
Bridport . . .	3,092 18 0	3,044 9 8	. .	. .
Bristol . . .	996,750 8 3	1,007,832 7 8	971,139 5 6	982,462 2 2

An Account of the Gross and Nett Amount of Customs' Duty, &c.—continued.

PORTS.	GROSS RECEIPT.				NETT RECEIPT, Exhibiting Produce after deducting Repayment of Trade Vouchers, Office Expenses, and Incidental Charges.			
	Year ending 5th January, 1844.		Year ending 5th January, 1845.		Year ending 5th January, 1844.		Year ending 5th January, 1845.	
	£. s. d.		£. s. d.		£. s. d.		£. s. d.	
Cardiff	5,569	14 4	7,662	12 7	3,402	13 6	5,451	4 2
Cardigan	438	9 2	147	5 8	. .		. .	
Carlisle	29,527	14 6	33,235	5 0	28,121	13 4	31,905	1 8
Caernarvon	. .		2,737	18 10	. .		2,143	4 7
Chepstow	8,785	4 10	8,889	16 7	8,140	15 2	8,251	15 7
Chester	78,661	1 0	75,985	0 9	76,960	3 9	74,299	11 10
Chichester	1,097	17 7	834	5 0	. .		. .	
Colchester	17,276	11 2	15,157	4 0	12,242	1 0	9,418	1 7
Cowes	2,163	18 1	2,204	5 8	. .		. .	
Dartmouth	2,834	18 2	3,671	5 8	. .		. .	
Deal	778	7 8	954	10 2	. .		. .	
Dover	33,819	16 9	34,675	6 11	5,373	4 1	6,142	7 4
Exeter	88,151	12 1	99,452	18 7	76,643	13 6	87,737	8 8
Falmouth	12,319	12 6	12,544	15 0	. .		2,325	11 5
Faversham	3,806	1 9	3,757	13 2	. .		. .	
Fleetwood(Preston in 1844)	19,355	16 0	23,303	13 2	18,053	11 1	21,837	4 2
Fowey	3,924	6 6	5,074	11 9	. .		. .	
Grimsborough	55,179	8 11	73,233	12 11	54,446	5 3	72,562	10 7
Gloucester	95,697	5 0	158,166	17 1	89,879	1 11	147,227	16 2
Goole	37,634	11 0	48,875	4 8	35,977	10 8	47,312	0 6
Grimsby	4,046	3 4	6,191	17 11	. .		580	18 6
Gweek	3,662	4 10	2,115	13 2	. .		. .	
Harwich	4,225	11 9	4,052	16 6	. .		. .	
Hull	525,418	7 11	607,963	1 5	485,983	19 3	578,425	4 6
Ipswich	27,427	16 2	28,511	0 5	25,492	9 2	26,622	16 6
Lancaster	24,540	6 6	30,948	0 9	21,968	15 7	28,459	16 3
Llanelly	2,053	1 6	1,921	0 9	. .		. .	
Liverpool	4,121,522	9 0	4,487,664	11 4	3,999,063	2 8	4,365,526	1 8
Lymo	2,389	11 3	2,774	13 11	. .		. .	
Lynn	40,741	16 4	61,306	6 6	37,256	8 11	57,570	13 6
Maldon	3,025	16 11	3,569	12 4	. .		. .	
Manchester	. .		1,991	0 9	. .		1,944	10 8
Maryport	3,270	17 5	4,488	10 9	2,696	10 2	3,894	14 8
Milford	6,971	12 3	3,729	10 9	. .		. .	
Newcastle	494,524	2 9	471,621	2 9	472,070	17 2	249,275	10 3
Newhaven	9,045	15 7	9,371	10 4	. .		558	9 0
Newport	8,296	19 0	15,811	19 0	6,984	12 6	13,967	3 7
Padstow	258	4 1	280	6 7	. .		. .	
Penzance	11,497	6 4	17,342	15 9	3,197	2 9	10,120	4 7
Plymouth	135,008	9 11	151,530	5 10	109,537	10 5	129,765	0 10
Poole	7,559	9 2	7,873	11 6	. .		. .	
Portsmouth	55,150	3 11	55,673	16 0	35,738	11 6	37,360	3 0
Ramsgate	6,022	18 5	5,685	3 6	. .		. .	
Rochester	18,482	11 1	22,244	10 10	148	1 3	4,091	6 5
Rye	3,163	16 9	2,273	2 6	. .		. .	
St. Ives	1,697	10 9	2,289	9 5	. .		. .	
Scarborough	4,136	8 1	5,203	15 3	2,189	14 1	3,463	5 6
Scilly	77	13 7	46	9 10	. .		. .	
Shoreham	18,484	1 2	11,296	15 9	6,949	8 2	5,870	6 1
Southampton	45,670	13 4	60,344	2 4	21,935	6 3	36,293	3 9
Southwold	9	6 1	154	7 11	. .		. .	
Stockton	79,612	16 11	85,397	15 9	71,931	7 10	77,200	16 2
Sunderland	74,408	2 7	76,587	10 0	66,549	17 6	67,940	17 9
Swansea	56,417	5 8	68,301	9 8	51,795	6 11	63,705	8 7
Truro	15,621	14 11	24,563	1 2	. .		22,382	10 10
Wells	228	14 4	272	12 11	. .		. .	
Weymouth	12,270	7 10	12,167	4 6	. .		. .	
Whitby	6,403	2 8	6,920	4 6	2,735	8 10	3,040	7 10
Whitehaven	73,985	17 0	70,635	3 11	69,617	7 6	66,537	14 3
Wisbeach	4,290	4 1	10,022	3 11	3,364	9 11	9,051	17 11
Woodbridge	2,126	15 8	2,724	1 3	199	17 7	861	10 7
Yarmouth	47,440	3 11	54,458	9 8	32,497	0 11	40,650	13 6
Isle of Man	20,863	15 3	22,516	9 7	10,287	1 0	11,749	10 9
Total	18,894,542	4 8	19,993,273	15 9	17,738,231	2 6	18,641,797	3 0

An Account of the Gross and Nett Amount of Customs' Duty, &c.—continued.

PORTS.	GROSS RECEIPT.		NETT RECEIPT, Exhibiting Produce after deducting Repayment of Trade Vouchers, Office Expenses, and Incidental Charges.	
	Year ending 5th January, 1844.	Year ending 5th January, 1845.	Year ending 5th January, 1844.	Year ending 5th January, 1845.
SCOTLAND.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Aberdeen	77,491 13 10	76,259 2 10	69,495 9 9	68,394 10 3
Ayr	248 6 1	207 3 9	. .	. .
Alloa	1,774 12 4	2,448 11 9	1,097 14 1	1,761 10 6
Arbroath	. .	2,442 9 2	. .	1,718 16 2
Banff	1,341 8 11	1,206 1 8	. .	. .
Borrowstoness	8,960 16 4	9,988 19 9	7,746 7 8	8,318 5 11
Campbeltown	505 15 9	4 17 4	. .	. .
Dumfries	8,763 14 3	9,072 3 11	6,013 4 7	6,154 18 3
Dundee	40,471 0 7	42,737 3 11	33,374 17 0	37,032 15 6
Glasgow	497,928 10 2	551,851 2 5	482,746 13 8	536,875 12 5
Grangemouth	8,422 4 5	16,645 0 0	6,694 0 5	15,032 15 3
Greenock	347,868 16 9	367,465 15 1	333,264 18 4	350,647 8 3
Inverness	4,356 13 11	5,082 10 0	1,093 14 9	2,197 17 7
Irvine	2,039 11 7	3,387 17 0	401 1 1	1,197 15 3
Kirkcaldy	4,765 10 5	5,502 9 7	934 17 4	1,946 6 0
Kirkwall	617 12 0	534 15 4	. .	. .
Leith	628,007 16 3	631,926 8 0	500,924 7 9	606,407 3 2
Lerwick	134 15 1	463 0 9	. .	. .
Montrose	28,523 5 2	25,793 19 10	23,156 9 2	21,046 1 8
Perth	13,481 5 11	12,572 5 5	12,726 9 11	11,835 10 9
Port Glasgow	92,906 8 2	151,472 14 9	89,214 16 4	147,976 5 7
Stornoway	276 18 1	389 1 6	. .	. .
Stranraer	89 15 9	128 2 10	. .	. .
Wick	824 8 3	1,225 14 4	. .	. .
Total	1,769,551 0 0	1,918,887 10 11	1,568,615 1 10	1,818,543 12 6
IRELAND.				
Baltimore	158 19 11	185 19 10	. .	. .
Belfast	340,080 18 0	366,414 14 6	314,343 5 7	340,315 6 3
Coleraine	5,178 8 1	5,011 7 5	. .	. .
Cork	277,551 5 10	302,207 15 5	247,796 1 7	271,021 18 11
Drogheda	7,345 1 7	9,372 18 10	4,142 18 1	6,308 15 0
Dublin	977,890 18 0	1,043,466 19 10	921,591 6 9	984,868 3 0
Dundalk	23,114 9 6	28,675 8 11	18,815 9 1	24,168 12 6
Galway	25,273 10 9	28,195 11 8	15,876 6 11	18,334 11 6
Limerick	155,472 9 3	176,979 2 0	134,402 19 10	164,568 7 8
Londonderry	99,771 9 1	105,830 5 4	86,823 7 2	93,923 4 7
Newry	38,852 15 0	44,648 0 3	26,505 4 3	32,020 13 3
Ross	20,221 14 2	22,734 14 0	18,033 6 5	20,543 16 7
Sligo	29,969 3 1	31,531 18 8	14,694 16 5	17,515 11 3
Tralee	. .	465 14 6	. .	. .
Waterford	157,372 6 9	173,284 17 3	146,741 18 0	162,703 8 11
Westport	12,125 7 1	14,320 5 0	4,463 0 9	7,395 12 6
Wexford	8,782 1 8	9,501 2 5	740 9 0	1,414 9 2
Total	2,179,160 17 9	2,362,826 15 10	1,954,970 9 10	2,145,102 11 1
ABSTRACT.				
England	18,894,542 4 8	19,993,273 15 9	17,738,231 2 6	18,641,797 3 0
Scotland	1,769,551 0 0	1,918,887 10 11	1,568,615 1 10	1,818,543 12 6
Ireland	2,179,160 17 9	2,362,826 15 10	1,954,970 9 10	2,145,102 11 1
Total	22,843,254 2 5	24,274,988 2 6	21,261,816 14 2	22,605,443 6 7

SECT. 3.—*Means and Instruments by which Commerce may be facilitated and carried on.*

1. MONEY.—The circumstances that occasioned the introduction and use of gold and silver coins in all civilised societies have been repeatedly elucidated. They serve both as standards by which to measure the value of other things, and as the universal equivalent, or *marchandise bannale*, the employment of which serves, in no ordinary degree, to facilitate exchanges.

In England, a pound troy, or 12 oz. of the metal of which silver coins are made, contains 11 oz. 2 dwts. pure silver, and 18 dwts. alloy. Since 1816 this pound has been coined into 66 shillings, so that each of our current shillings contains 80·727 grains fine silver, and 87.27 grains standard silver; and the money pound, consisting of 20 such shillings, contains 1614·545 grains pure silver, and 1745·454 grains standard silver. All the English silver coins have been coined out of silver of 11 oz. 2 dwts. fine from the Conquest to this moment, except for the short period of 16 years, from the 34th Henry VIII. to 2nd Elizabeth.

The fineness of gold is estimated by carat grains, equivalent to 2½ dwts. troy; gold of the highest degree of fineness, or pure, being said to be 24 carats fine. The purity of our present gold coins is 11 parts fine gold and 1 part alloy. The sovereign, or twenty-shilling piece, contains 113·001 grains fine gold, and 123·274 grains standard gold. The pound troy of standard gold is coined into 46 sovereigns and $\frac{89}{240}$ths of a sovereign, or into 46*l.* 14*s.* 6*d.* The mint or standard price of gold is, therefore, said to be 46*l.* 14*s.* 6*d.* per pound troy, or 3*l.* 17*s.* 10½*d.* an ounce.

The alloy in coins is reckoned of no value: it is allowed in order to save the trouble and expense that would be incurred in refining the metals to their highest degree of purity; and because, when its quantity is small, it renders the coin harder, and less liable to be worn or rubbed. Were the quantity of alloy considerable, it would lessen the splendour and ductility of the metals, and would add too much to the weight of the coins.

Originally, the coins of all countries seem to have had the same denominations as the weights commonly used in them, and contained the exact quantity of the precious metals indicated by their name. Thus the talent was a weight used in the earliest period by the Greeks; the as, or pondo, by the Romans; the livre by the French; and the pound by the English and Scotch; while the coins originally in use in Greece, Italy, France, and England, bore the same names, and weighed precisely a talent, a pondo, a livre, and a pound. The standard has not, however, been preserved inviolate, either in ancient or modern times. The necessities of governments, and the unfounded notion so generally diffused that coins derived their value rather from the coinage than from the quantity of metal contained in them, have everywhere led to their degradation. They have been less enfeebled in this than in any other country; but even here the quantity of silver in a pound sterling is less than the third part of a pound weight, the quantity it contained down to 1300. At the union of the crowns, in

1604, the coins current in Scotland contained the *twelfth part* only of the silver they contained in 1296. In France the livre, current in 1789, contained less than one sixty-sixth part of the silver implied in its name, and which it had contained previously to 1103. In Spain, and some other countries, the degradation has been carried even further.

When two metals, as gold and silver, are formed into coins, and may be used indifferently as legal tenders in all payments, the proportion which the one bears to the other must be fixed by authority. But how accurately soever this proportion may be made to correspond with the real value of the metals when it is fixed, it will not continue to be accurate for any considerable period. Each of the metals is liable to have its value affected by circumstances which may not influence the other; and whenever any variation of this sort takes place, it becomes the interest of all debtors to use that metal only which is overvalued, so that it becomes the only currency. In the French mint silver was for a long period overvalued, as compared with gold; and in England gold was for a long period overvalued, as compared with silver; and hence the reason that silver coins form almost the sole currency of France; and that from the accession of George I. gold coins have been the principal currency of England.

The following table, calculated by Martin Folkes, Esq., exhibits in a brief space the various alterations that have been made in our money standard, from the Conquest down to 1816.

Table showing the Fineness of the Silver in English Coins, the Weight of Twenty Shillings in tale, the Value of such Twenty Shillings in present Money, &c., from the Conquest to 1601.

Reigns and Years.	Fineness of the Silver.		Weight of 20s. in tale, Troy Weight.			Value in present Money.			Proportion.	Fine Gold to fine Silver.
	oz.	dwts.	oz.	dwts.	gr.	£.	s.	d.		
Conquest . . . 1066	11	2	11	5*	0	2	18	1¼	2·906	No gold.
28 Edward I. . . 1300	.	.	11	2	5	2	17	5	2·871	
18 Edward III. 1344	.	.	10	3	0	2	12	5¾	2·622	12·583
20 Edward III. 1346	.	.	10	0	0	2	11	8	2·583	11·571
27 Edward III. 1353	.	.	9	0	0	2	6	6	2·325	11·158
13 Henry IV. . 1412	.	.	7	10	0	1	18	9	1·937	. .
4 Edward IV. . 1464	.	.	6	0	0	1	11	0	1·055	10·331
18 Henry VIII. 1527	.	.	5	6	16	1	7	6¾	1·378	11·267
34 Henry VIII. 1543	10	0	5	0	0	1	3	3¾	1·163	10·435
36 Henry VIII. 1545	6	0	5	0	0	0	13	11¼	0·698	6·818
37 Henry VIII. 1546	4	0	5	0	0	0	9	3¾	0·466	5
3 Edward VI. 1549	6	0	3	6	16	0	9	3¾	0·466	5.151
5 Edward VI. 1551	3	0	3	6	16	0	4	7¾	0·232	2·011
6 Edward VI. 1552	11	1	4	0	0	1	0	6¾	1·028	11·05
1 Mary. . . . 1553	11	0	4	0	0	1	0	5¾	1·024	11·05
2 Elizabeth . . 1560	11	2	4	0	0	1	0	8	1·033	11·1
43 Elizabeth . . 1601	11	2	3	17	10	1	0	0	1	10·905

* The Saxon, or Tower pound, which was then the common weight, and continued to be the money weight till the 18th Henry VIII., was but 11 oz. 5 dwt. troy; so that 20 shillings in tale was then exactly a pound in weight.

From the 43rd of Elizabeth no change was made in the silver coinage for more than two centuries, or till 1816, in the 56th of George III., when the pound of silver was coined into 66 instead of 62 shillings; the additional 4 shillings being retained by govern-

ment as a seignorage or duty (amounting to $6\frac{1}{2}$ per cent.) on the coinage. This, however, did not really in any degree affect the standard of our currency, which for about a century previously had in fact consisted of gold and not of silver. This system, which had grown up in the way stated above, was, in 1816, established by law. Gold was then declared to be the only legal tender in all payments of more than 40*s.*; and the weight of the silver coins being at the same time reduced, they became a merely subsidiary species of currency, the supply of which was retained exclusively in the hands of government. This system has been found to answer extremely well. No seignorage is charged on the coinage of gold, the expense of which amounts to about 10*s.* per cent.

The quantity of gold coin at present in circulation in Great Britain, exclusive of that in the coffers of the Bank of England and of her branches, is supposed to amount to about *thirty* millions.

Value of Foreign Coins in Sovereigns.—Owing to the sovereign or standard coin of this country consisting of gold, while the standard coins of most other countries consist of silver, the value of the one as compared with the others does not depend merely on the quantity of pure gold in the sovereign and the quantity of pure silver in the franc, dollar, &c., but partly on that circumstance, and partly on the relative values of gold and silver at the time. At present a franc is worth about 9·7*d.*; a Spanish dollar, 4*s.* 4*d.*; a Company's rupee, 2*s.*; a Prussian rixdollar, 3*s.*, and so forth.

Copper coins are only legal tender to the extent of 1*s.*; being in respect of silver what silver coins are now in respect of gold.

Paper Money—Banks.—Notwithstanding the precious metals are, in many respects, admirably fitted to serve as a medium of exchange, they have two very serious drawbacks, their cost, and the difficulty and expense of carrying them from place to place. If the currency of Great Britain consisted only of gold, it would amount to at least sixty millions of sovereigns; and the expense attending such a currency, allowing only $\frac{1}{4}$ per cent. for wear and tear and loss of coins, could not be reckoned at less than 3,250,000*l.* a-year. It is obvious, too, that were there nothing but coins in circulation, the conveyance of large sums from place to place, to discharge accounts, would be a very laborious process, and that even small sums could not be conveyed without considerable difficulty; and hence it is that most commercial and highly civilised nations have endeavoured to fabricate a portion of their money of less costly materials, and have resorted to various devices for economising the use of coin. Of the substitutes for coin hitherto suggested, paper is, in all respects, the most eligible. Instead of discharging their debts by a payment of the precious metals, individuals, on whose solvency the public may rely, pay them by giving a bill or draft for the sum, payable in coin at sight, or at so many days after date; and as this bill, or draft, passes currently from hand to hand as cash, it performs all the functions of coin, while it saves its expense to the public. A sense of the advantages that might be derived from the circulation of such bills or drafts led to the institution of banks for their regular issue.

By a bank of this description, or a *bank of circulation*, is meant an

establishment founded by one or more individuals, known or believed to be possessed of large property, for the accommodation of the public with loans. A banker, on being applied to for a loan, does not make the advance in gold or silver, or other valuable material, but in his own promissory notes or engagements, binding him to pay the sums specified in them at sight, when presented at the bank, or at some specified period. When a bank is in good credit, its notes are deemed by the public equivalent to a corresponding amount of gold or silver; and, being freely accepted in payment of debts of all sorts, and easily carried about or conveyed by post, they are even more useful to those who originally borrowed them from the bank, and to their subsequent holders, than an equal sum in coin. The borrowers, therefore, do not scruple to pay the same interest for the loan of a promissory note of 100*l.* or 1,000*l.* that they would do for a loan of a hundred or a thousand sovereigns. But the note costs the issuer comparatively little. He, in fact, deals in credit, or in obligations to pay, and not in real values; his profits consisting in the excess of interest derived from the notes or obligations he has issued over and above the interest of the cash or unproductive stock he is obliged to keep in his coffers to meet the demands of the public for payment of his notes, and the expenses of his establishment.

Besides these sort of banks there are also *banks of deposit*, or banks for keeping the money of individuals. A merchant, or other person, using a bank of this sort, makes all his considerable payments by drafts upon his bankers, and sends all the bills due to him to them to be presented, and noted if not duly paid. By this means he saves the trouble and expense of keeping a quantity of unemployed money at home, avoiding, also, the risk of receiving coins or notes that are not genuine, and of making any mistakes with respect to the presentation of due bills; and in consequence of the saving of money that is thus effected, a much less quantity serves for the demand of the public.

If a bank of circulation, or an establishment for the issue of notes, fall into discredit, its notes must obviously cease to circulate. Unless when guaranteed by government, or made legal tender, no one ever takes promissory notes, except on the supposition that they will be paid when presented or when due, and that they are substantially equivalent to cash. The moment any suspicion (whether well or ill-founded is so far of little consequence) arises that the issuers of notes are unable to meet their obligations, there is a run upon them for payment, and their notes are rejected by every one.

All banks of circulation are necessarily almost at the same time banks of deposit; but there are in all commercial countries a good many of the latter class of banks only.

English Banks.—Banking establishments for the issue of notes, and for taking care of people's money, have existed in this country since the latter part of the seventeenth century. The Bank of England was founded in 1694, and has long been the greatest bank of circulation and deposit in the world. From its foundation it has enjoyed several peculiar privileges. The principal of these was conferred upon it in 1708, by an Act which prohibited any company from being established for the issue of notes payable on demand in England

and Wales with more than six partners. This restriction continued till 1826, when it was abolished, in so far as respects all places more than 65 miles distant from London; but within that distance it still prevails.

In consequence of this regulation, and of the great capital and credit of the Bank of England, its notes have always been held in the highest estimation; and no bank for the issue of promissory notes payable on demand has been established in or near London. In the provinces, however, numerous private banks of issue and deposit have always existed. Since the close of the American war, their numbers have been greatly increased; and since the abolition of the restriction on the number of partners, in 1826, many banks have been established, some with very large bodies of proprietors. Except in the case of the Bank of England, all the holders of stock in the other English banks are liable, not merely for the amount of their share in the capital stock of the company, but for its whole debts, whatever may be their amount.

From the first establishment of the Bank of England, down to 1797, it always paid its notes regularly when presented. But in the course of 1796, and the early part of 1797, there was, owing to the prevalence of reports of invasion, a pretty severe run upon the Bank of England, and it was at length apprehended that she might be obliged to make a temporary stoppage. To avert a contingency of this sort an order in council was issued in February, 1797, authorising the bank not to pay her notes in gold; and this order was subsequently confirmed by parliament, and prolonged till after the conclusion of a definitive treaty of peace.

Contrary to what might have been and was anticipated by many, the order referred to did not stop the circulation of Bank of England notes, or diminish the confidence of the public in that establishment. The Report of a Committee of the House of Commons, published soon after the suspension, showed that the bank was not merely possessed of the most ample funds to meet all her engagements, but that she had a surplus stock, after all demands upon her were deducted, of no less than 15,513,000*l*. This Report, and the fact that the Bank of England notes became *practically legal tenders*, secured their circulation.

The obligation on the issuers of paper to pay their notes on demand is necessary, not only to give them circulation, but to prevent their being issued in excess; for as soon as any considerable over-issue takes place, the currency becomes depreciated as compared with that of other countries, and notes are, in consequence, returned upon the banks for payment, in order to get gold and silver to send abroad where their value is higher; and the banks, to obviate the drain, are obliged to narrow their issues. London being the centre, where the exchanges with other countries are adjusted, the value of its currency determines the state of the exchange; and it also determines the value of the currency of the provinces, there being a constant demand upon the country banks for gold or bills on London. While the Bank of England was obliged to pay in specie, the value of her notes could not, and in point of fact did not, differ materially from that of gold. But

in 1799 or 1800, after the check of cash payments had been removed, they began to be depreciated from excess; and during the last half dozen years of the war their depreciation was carried to such an extent, that the ounce of standard gold, which should be worth only 3*l.* 17*s.* 10½*d.*, was, in 1814, actually worth 5*l.* 4*s.*, being a depreciation of 25½ per cent.!

The difficulties which had been thrown during the latter years of the war in the way of importation from abroad, combined with deficient crops at home, caused an extraordinary rise in the price of corn. But no sooner had the northern ports been opened, in the autumn of 1814, than a large importation, accompanied by a heavy fall of prices, began to take place, which was still further increased after the general pacification in 1815. This fall proved ruinous to many farmers who had been large borrowers from the country banks; and in consequence of the losses arising from this and other causes that grew out of the altered situation of the country, a general want of confidence was experienced, and an immense number of country banks became insolvent. There is believed to have been in 1814, 1815, and 1816, a greater destruction of bank paper in this country than had ever previously taken place anywhere else, except, perhaps, at the breaking up of the Mississippi scheme in France. The contraction of the currency, that had been thus violently brought about, raised its value nearly to par, and paved the way for the Act of 1819, the 59 Geo. III. c. 78, commonly called "Peel's Act," from its having been introduced by Sir Robert Peel, which provided for the return to cash payments by the Bank of England at the old standard. These were resumed in 1821.

Much difference of opinion has prevailed as to the policy of this Act, and this is not a proper place for discussing its merits. We believe, however, that it was a wise as well as a just measure, and that the inconveniences that have been said to result from it have been very greatly exaggerated. The principal objection made to it is, that it raised the value of money, and, consequently, enriched creditors and the holders of funded property at the expense of their debtors and of the public. But supposing this to be true, the measure took no person, or at least should have taken no person, by surprise. It had been declared in numerous Acts of Parliament that cash payments were to be resumed within six months after a definitive treaty of peace. Every loan had been contracted under this condition; and the legislature might as well have declared that it was not bound to pay the interest of the debt as that it was not bound to pay in coin of the standard weight and purity.

It was impossible, therefore, for the legislature to refuse returning to cash payments; and whatever may have been the influence of that measure at the time is now matter of history, and is beyond the reach of human power to obviate or repair. Supposing that it raised the value of money, that money has been the standard for twenty-seven years. Forty-nine out of every fifty of the existing contracts, obligations, and estimates, have been entered into and framed with reference to it; so that, whether enhanced or not at the outset, to interfere with it now would not be to repair injustice, but to commit it afresh—it would be to rob and plunder the present race of creditors, on pretence that the

individuals who were creditors twenty-seven years ago had gained an undue advantage!

But we take leave to deny that the return to cash payments made any sensible addition to the value of money. If we ask where are the proofs of its having done so, we are referred to the fall that has since taken place in the prices of most articles. But this is plainly no proof at all. Prices may, no doubt, be reduced by a rise in the value of money; but they may also be reduced by a decline in the cost of production; and, so far as we can discover, we incline to think that this has been the sole cause of the entire fall that has taken place since the resumption of cash payments. The advocates of the opposite opinion have never been able, though often called upon, to specify a single article, either of domestic or foreign growth or manufacture, that has fallen in price since 1819, the fall of which may not be satisfactorily accounted for by circumstances peculiar to its production or supply, or both, independently altogether of variations in the value of money. We believe there is no such article. The fall that has taken place in agricultural and in colonial products, in manufactured goods, &c., is entirely ascribable to improved and cheaper methods of production; to the abolition of monopolies, the reduction of taxes, the opening of new and more abundant sources of supply, or to some such cause. Not a tittle of evidence has been, nor we apprehend can be, brought to show that the fall of prices has been owing, even in a solitary instance or in any degree, to a rise in the value of money. This is an opinion for which there seems to be no real foundation whatever—a phantom that was conjured up, that a wholesale robbery of public and private creditors might be perpetrated under cover of the speculation and alarm caused by its appearance.

Notwithstanding that the bankruptcy which overspread the country in 1814, 1815, and 1816, was mainly ascribable to the defective constitution of the country banks, and to the reckless and improvident manner in which they were managed, no steps were taken when the resumption of cash payments was decided upon in 1819 to obviate any one of these sources of mischief. The consequences were such as might have been anticipated. A peculiar combination of circumstances having conspired to produce an extraordinary rage for speculative undertakings in 1824 and 1825, the country bankers gave into the infatuation, and made the most sudden and excessive additions to their issues. In consequence the currency became redundant; and this having occasioned a heavy drain for gold on the Bank of England, the latter was, in the end, obliged to contract her issues. The country banks, whose engagements had in many instances been carried to an extent quite incommensurate with their capital, began to give way the moment they experienced an increased difficulty of obtaining pecuniary accommodation in London; and so rapid and sweeping was the destruction, that in less than six weeks above 70 banking establishments were swept off, and a vacuum created in the currency that absorbed from *eight* to *ten* millions of additional issues by the Bank of England!

This catastrophe seems at length to have satisfied the parliament and people of England that the private banking system was weak and vicious, and that it was imperatively necessary it should be amended

and strengthened. In this view the clause in the Act of 1708, already referred to, prohibiting any private bank from having more than *six* partners, was repealed; and the issue of notes for less than 5*l.*, the circulation of which began in 1797, was also forbidden.

The last measure shut up, no doubt, one of the easiest channels through which the inferior order of country bankers got their paper into circulation, and has been in so far advantageous. But abundance of other channels were still open to them; and the fact that a third part of all the private banks existing in England and Wales, in 1792, were destroyed during the revulsion of that year, though no notes for less than 5*l.* were then in circulation, shows how little the suppression of small notes can do to obviate the mischiefs complained of. Very important advantages were, however, expected to result from the other measure, or that repealing the Act of 1708, and consequently allowing the formation of joint stock banks, or banks with any number of partners. But these anticipations have proved to be nearly, if not quite, fallacious. There cannot, in fact, be a greater error than to suppose that because a bank has a considerable number of partners it will necessarily be either rich or well managed. It may be neither the one nor the other. A single individual may possess more wealth than a number of individuals associated together; and the chances are, that if he engage in banking or any other business, it will be better managed than by a company. Under our present system, (and it cannot be prevented under any system,) the partners in joint stocks, as in other banks, may be men of straw, or persons without property, and unable to fulfil their engagements. It is of the essence of a secure and well established paper currency that the notes of which it consists should be of the exact value of the gold or silver they profess to represent, and that, consequently, they should be paid the moment they are presented. But it is not enough to order that this condition shall be uniformly complied with. Such order is obeyed only by the opulent, prudent, and conscientious banker, and forms little or no check on the proceedings of those of a contrary character. It is the latter class, however, that it is especially necessary to look after; and it is needless to say that any system that permits notes to be issued without let or hindrance by speculative, ignorant, or unprincipled adventurers, must be essentially vicious.

It has sometimes been contended, in vindication of the plan of allowing any individual or set of individuals, how bankrupt soever in fortune and character, to issue notes without check or limitation of any kind other than the promise to pay them on demand, that they are essentially *private paper;* that their acceptance in payment is optional; and that as they may be rejected by every one who either suspects or dislikes them, there is no room or ground for interfering with their issue! But everybody knows that, whatever notes may be in law, they are in most parts of the country *practically and in fact legal tender.* The bulk of the people are totally without power to refuse them. The currency of many extensive districts consists in great part of country notes, and such small farmers or tradesmen as should decline taking them would be exposed to the greatest inconveniences. Every one makes use of or is a dealer in money. It is not employed by men of business only, but by persons living on fixed incomes; by women, labourers, minors; in

short, by every class of individuals, very many of whom are necessarily, from their situation in life, quite unable, to form any estimate of the solidity of the different banks whose paper is in circulation. Such parties are uniformly severe sufferers by the failure of banks. The paper that comes into their hands is a part of the currency or money of the country; and it is quite as much the duty of government to take measures that this paper shall be truly and substantially what it professes to be, as that it should take measures to prevent the issue of spurious coins or the use of false or deficient weights and measures.

The fact is, that the paper currency of the country cannot be on a perfectly sound footing until the issue of notes, whether by joint stock banks or private individuals, be suppressed. It has been proposed, to obviate any recurrence of the wide-spread ruin that has so frequently resulted from the bankruptcy of banks of issue, to compel them to give security for the payment of their notes; and the adoption of such a regulation would, no doubt, have been a vast improvement on the late system. But though the exacting of security would materially mitigate, it would not eradicate the vices of a system which allows banks to be established at the pleasure of individuals. A paper currency is not in a sound or wholesome state, unless, 1st, means be taken to insure that each particular note or parcel of such currency be paid immediately on demand; and unless, 2nd, *the whole currency vary in amount and value exactly as a metallic currency would do were the paper currency withdrawn and coins substituted in its stead.* The last condition is quite as indispensable to the existence of a well-established currency as the former; and it is one that cannot be fully realized otherwise than by confining the issue of paper to a single source.

It is easy to see that were paper issued only by the Bank of England, or some one source in London, and then only *in exchange for bullion*, the currency would be in its most perfect state, and would fluctuate exactly as it would do were it wholly metallic. But at present the currency is supplied by hundreds of individuals and associations, all actuated by different and frequently conflicting views and interests. The issues of the Bank of England, previously to the late changes, were generally, though not always, governed by the state of the exchange, or rather by the influx and efflux of bullion, increasing when it flowed into, and decreasing when it flowed out of the country. But it was quite otherwise with the provincial bankers. Their issues were not regulated by any such standard, but by the state of credit and prices in the districts in which they happened to be situated. If their managers supposed that these were good or improving, they rarely hesitated about making additional issues. Hence, when the state of the exchange and the demand on the Bank of England for bullion showed that the currency was redundant, and ought to be contracted, the efforts of the Bank to effect its diminution were often impeded, and met by a contrary action on the part of the country banks. This was not owing to the ignorance of the latter. Under the supposed circumstances, the country bankers, saw speaking generally, that they ought also to contract; but being a very numerous body, comprising several hundred establishments scattered over all parts of the country,

each was impressed with the well-founded conviction that all that he could do in the way of contraction would be next to imperceptible; and no one ever thought of attempting it, so long as he felt satisfied of the stability of those with whom he dealt. On the contrary, every banker knew, were he to withdraw a portion of his notes, that some of his competitors would most likely have embraced the opportunity of filling up the vacuum so created; and that consequently he should have lost a portion of his business, without in any degree lessening the amount of paper afloat. Hence, in nineteen out of twenty instances, the country banks went on increasing their aggregate issues long after the exchange had been notoriously against the country, and the Bank of England had been striving to pull up.

The circumstances now stated were strikingly exemplified in the course of 1836, and the early part of 1837. The excessive multiplication of joint stock banks in 1836, the great additions they made to the number of notes afloat, and the still greater additions they made to the number of bills, checks, and other substitutes for money, occasioned a redundancy of the currency, a fall of the exchange, and a drain upon the Bank of England for gold. But while the latter was narrowing her issues, by supplying the exporters of bullion with gold in exchange for notes, the country banks went on increasing their issues! What the former did by contracting on the one hand, the latter more than undid by letting out on the other. The vacuum created by the withdrawal of Bank of England paper was immediately filled up, and made to overflow by the issue of a more than equal amount of provincial paper; so that had it not been for the rise in the rate of interest, and the other repressive measures adopted by the Bank, the probability is that she might have gone on paying away bullion for notes till she was drained of her last sixpence, without in any degree affecting the exchange. But this was not all. Not only did the country banks almost universally increase their issues when they should have been diminished, but the moment they were compelled to set about their reduction, they ran headlong into the opposite extreme, and unreasonable suspicion took the place of blind unthinking confidence. The cry of *sauve qui peut* then became all but universal. A recoil seldom took place without destroying more or fewer of the provincial banks; and provided the others succeeded in securing themselves, little attention was usually paid to the interests of those they had taught to look to them for help.

We have previously noticed the bankruptcy and distress entailed on the country by the over-issue and consequent failure of the country banks in 1814, 1815, 1816, and again in 1825-26. The influence of the revulsion in 1792 was similar, and equally disastrous; and though, owing to the assistance afforded by the Bank of England, the crisis of 1836 was very much mitigated, it seriously affected the industry and commerce of the empire, and inflicted a blow upon them both, from the effects of which they did not recover for a lengthened period.

But, however desirable, the total suppression of the issue of notes by joint stock and private banking companies, would have been a measure too much opposed to popular prejudices, and to the interests of a large

and powerful class, to have had any chance of being carried; and there, also, would have been great though inferior difficulties in the way of the project for taking securities. It was, indeed, quite indispensable, in attempting to obviate the defects inherent in our banking system, to proceed with extreme caution, to respect in as far as possible, existing interests, and to avoid taking any step that might excite the fears and apprehensions of the public; the grand difficulty being to reconcile such a course with the introduction of any plan that would obviate in any considerable degree the defects complained of. Happily this difficult problem has been dexterously and satisfactorily solved by Sir Robert Peel; the measures he introduced and carried through Parliament in 1844 and 1845, for the improvement of our banking system, having been so skilfully contrived as to provoke little opposition, at the same time that they effected very extensive and (as we think) most beneficial changes.

The measures in question consist of the Act 7 and 8 Vict. c. 32, which refers to the Bank of England, and the English country banks; and the Acts 8 and 9 Vict. caps. 38 and 37, referring to the banks of Scotland and Ireland. The principal object of these statutes has been to obviate the chances of over-issue and of sudden fluctuations in the quantity and value of money, by limiting the power to issue notes payable on demand, and by making the amount of such notes in circulation vary more nearly than previously, with the amount of bullion in the possession of the issuers. Sir Robert Peel adopted, in dealing with the Bank of England, the proposal made by Mr. Loyd, in 1837, for effecting a complete separation between the issuing and banking departments of that establishment. And while the directors are left at liberty to manage the latter at discretion, their management of the former, or issue department, is subjected to what seems to be a well-devised system of restraint. The Bank is allowed to issue 14,000,000*l.* of notes upon securities (of which the debt of 11,015,100*l.* lent by her to Government is a part); and whatever paper the issue department may at any time issue over and above this maximum amount of securities, it must have an equal amount of coin and bullion in its coffers.* Hence it is impracticable for the issue department to increase its issues without, at the same time, proportionally increasing its stock of coin and bullion; or to diminish the latter without proportionally diminishing the amount of paper supplied to the public and the banking department. And, therefore, if the latter issued the whole notes assigned to it, the total amount issued by the issue department and the amount in circulation would be identical; and it might under such circumstances be truly said that, in so far as the currency consists of Bank of England notes payable on demand, it varied in amount and value as it would do were it wholly metallic, and, consequently, by being so closely identified with the standard, realised the *beau ideal* of a paper currency.

But, though the currency approaches to, it has not arrived at this

* A clause is inserted in the Act allowing the Bank to increase her issue upon securities, in the event of her notes being used instead of those of any or all of the existing banks of issue.

degree of perfection. The public does not deal alone with the issue, but also, and to a far greater extent, with the banking department. And this latter department retained such a portion of the notes issued to it by the former, under the 2nd clause of the 7 and 8 Vict. c. 32, as was supposed at the time to be sufficient to carry on its business, their amount having since varied with the varying demands for bullion, the sales and purchases of securities, &c. But it is sufficient, in illustration of what is now stated, to observe that during the week ended the 25th of July, 1846, notes to the amount of 29,312,945*l.* had been issued to the public and the banking department, of which the latter had 8,562,695*l.* in its coffers, making the sum in the hands of the public 20,750,250*l.* And as it is sometimes supposed that the banking department might issue this sum of 8,562,695*l.*, or the spare notes at any time in its coffers, in the discount of bills, or any other way, it is concluded that there is still room for some, though but little, derangement of the currency from mistaken proceedings on the part of the Bank; and this, no doubt, may be sometimes true, at least to some extent. But it is idle to suppose that the banking department could carry on business without a large reserve of notes or of coin. This department may have, owing to a variety of circumstances, to meet a drain for deposits; and as it is very unsafe to trust to the sale of securities in periods of discredit, a very considerable supply of notes or of bullion, or of both, can never be advantageously or safely dispensed with.

This shows the little weight to be attached to the statements of those who contend that the late measure has laid no real restraint on the issues of the Bank, because, say they, she has a large reserve of unissued notes which she might legitimately throw on the market. But in truth and reality she can do nothing of the sort. A reserve is indispensable, not only to her safety, but to her ability to carry on banking business; and it is at present (August, 1846) sufficiently narrow. Without the exercise of due vigilance and caution by the directors, it is within the limits of probability that the banking department of the Bank should be reduced to a state of considerable difficulty without being able to obtain any assistance from the issue department, how able soever the latter might be to render it. It is no longer in the power of the Bank to create paper money at pleasure, to supply the place of cash in any emergency in which she may be involved; and instead of less she will require to act with quite as much circumspection under the new system as under the old.

But though the check on the over-issue of bank notes be thus nearly effectual, it appears rather singular that no check should be established on the issue of bank post-bills, which amounted to 940,024*l.* on the 25th July last, and which are, and may be, substituted for notes. No doubt, however, were the Bank (which is hardly to be imagined) to abuse the privilege of issuing post-bills, by making advances in them which she could not have made in notes, measures would be taken to prevent the abuse; and perhaps, on the whole, it was as well to postpone devising means for the prevention of what seems so unlikely to occur.

Weekly returns are now published of the issues of the Bank, and of the securities, bullion, &c., in her possession. The sum to be deducted by the Bank from the charge on account of the management of the national debt is in future to be 180,000*l.* instead of 120,000*l.* a-year, as fixed by the Act 3 and 4 Will. IV. c. 98. The charter is to be continued till twelve months' notice after the 1st August, 1855.

The provisions made in this Act for restraining the country circulation are, perhaps, still more important. The maximum future issue of the joint-stock and other banks in England and Wales is limited to the average amount of the circulation of each during the twelve months preceding the 27th of April, 1844. It is further enacted that no new bank shall be established for the issue of notes, and that the names of the partners in joint-stock and other banks shall be periodically published.

The regulations in the statutes relating to banking in Scotland and Ireland are nearly similar. The maximum amount of notes to be issued by the banks of both countries is, in time to come, not to exceed the average amount which each bank had in circulation during the twelve months ending the 1st of May, 1845. Certain returns, including amongst others the amount of gold and silver coin held by the banks, the names of the partners, &c., are to be periodically published. The small-note currency of Scotland has not been affected by the measure.

Account of Total authorized Maximum Circulation of the United Kingdom.

	£.
Bank of England (variable).	
English Private Banks	5,011,097
——— Joint-Stock Banks	3,477,321
Scotch Banks	3,087,209
Irish Banks	6,354,494

Being £17,920,121, exclusive of issue of Bank of England.

It is impossible to doubt that these regulations interpose a formidable, if not an insuperable, obstacle to over-issue; and that, consequently, they cannot fail to discourage over-trading, and to reduce both the number and the violence of those commercial revulsions and changes in the value of money that have always been, and must necessarily continue to be, productive of the greatest mischief. No one ever pretended to say that these or any other measures which could be adopted with respect to the currency would wholly prevent unsafe speculation and over-trading. These may originate in an endless variety of circumstances; but in times past the tendency to speculation and gambling, when once set on foot, was in most cases powerfully stimulated by the facility which banks then possessed of issuing additional quantities of paper; and of that facility they are now all but deprived. It is, perhaps, true, that the fair and legitimate influence of the Acts now referred to may be in some degree countervailed by the circulation to a greater extent than formerly of bills and other sorts of paper, not payable on demand but at short dates; and it is not improbable that sooner or later the question may arise, whether any regulations should be adopted in regard to the issue of such paper. In so

far, however, as respects the issue of *paper money*, or notes payable on demand, the late regulations appear to have left little to be desired. The amount of such notes is limited, and it is difficult to imagine, seeing the rapid advances the country is making in wealth and population, that any period should occur when this limited amount of issue will be in excess. No doubt, also, numbers of the private and other banks that now issue notes will from time to time wind up their affairs; and as no new banks of issue can be established in their stead, the vacuum caused by the withdrawal of their notes will be supplied by those of the Bank of England; so that a gradual progress will be made towards the desirable consummation of having only one bank of issue.

It is sometimes contended, by those opposed to the policy of limiting the issues, that they never can be in excess so long as they are payable on demand. Such, however, is not the case: notes payable, *and really paid*, on demand cannot, it is true, fall below the value of specie in the country in which they are issued; but the check of payment in specie does not, in fact, begin to operate till their over-issue has depreciated the value of the whole currency, gold as well as paper, in such country, below its level in the surrounding countries, and till consequently, the exchange becomes unfavourable, and it is of advantage to export gold. Then of course the over-issue is stopped, but such stoppage is almost always accompanied by a great deal of public distress and inconvenience; while it by no means necessarily follows that any considerable portion of the loss thence arising will fall on those banks by whose misconduct or over-issue the fall in the exchange and the demand for bullion may have been occasioned. Happily, however, such a result is, under the new system, nearly impossible; for, as previously remarked, the country can hardly be in such a situation that the maximum amount of notes which the banks may issue, supposing them to be wholly thrown on the market, would depreciate the currency below its proper level, or occasion a foreign demand for bullion.

On the whole, therefore, we are disposed cordially to approve of the late changes. They will give increased stability and security to all transactions; and their operation has already been, and will no doubt continue to be highly beneficial. It may, farther, be safely affirmed, that no measures deeply affecting so many, and such powerful interests, and introducing such extensive changes, were ever brought into Parliament, and carried through it with so little difficulty. This is to be ascribed to the skill with which they were prepared, and which reflects the highest credit on the administrative ability of Sir Robert Peel. Had he attempted more, had he suppressed all local issues, or required security for their payment, he would probably have lost or endangered the great advantages he has gained. The recent measures go far to complete and perfect those which the Right Hon. Baronet introduced and carried through in 1819; they make the currency correspond more nearly with the standard then re-established; and guard, in as far as circumstances will permit, against mutations in its value, and the mischiefs consequent thereon.

In 1833 the charter of the Bank of England was prolonged till

1845; and, as previously seen, it is now prolonged till 1855. Previously to 1833, the notes of the country banks were made payable in gold; but it was then enacted that they might be paid either in gold or in Bank of England notes. In fact, Bank of England notes are now legal tender everywhere except at the Bank and her branches.

The Bank of England is the Government bank, transacting for it all the banking business of the nation, receiving the produce of the taxes, loans, &c., and paying the interest of the public debt, the drafts of the Treasury and other public departments, transferring stock, &c.

The Bank of England, and the private banks of the metropolis, do not give interest on deposits; but it is generally given by the London joint-stock banks and by the banks in other parts of the country. The issues of the Bank of England are chiefly made in advances to Government upon the security of exchequer bills, &c.; but, in periods of distress, or when credit is shaken, she has frequently advanced very large sums to the merchants. She discounts no bills of above three months' date.

Scotch Banks.—The Act of 1708, limiting the number of partners in English banks to six, did not extend to Scotland; and most of the banks that have been established in that country have numerous bodies of partners. The Bank of Scotland was founded in 1695, and the Royal Bank in 1727, since which time about 30 other establishments have been formed for the issue of notes. Owing partly to the superior stability derived from their extensive proprietary, but more, perhaps, to the less risk attending the business of banking in Scotland, bankruptcies have been very rare among the Scotch banks. They have long enjoyed the unlimited confidence of the public; and, from their receiving small sums (10*l.*) as deposits, and paying interest upon them at about 1 per cent. below the market rate, they have contributed much to diffuse a spirit of economy, and to increase accumulation. One-pound notes were issued by the Bank of Scotland in 1704; and their issue has been thence continued to the present day, the Act prohibiting their circulation in England not having extended to Scotland. For many years past very little gold coin has been seen in Scotland. The Scotch banks make their advances partly by discount of bills, and partly by what are termed cash accounts, or cash credits. The latter is a very convenient method of issue. A cash account is a credit given by the bank to an individual for a certain sum, which he may draw out wholly or partially as he pleases, replacing it in the same way, being charged interest only on the portion he withdraws. The Scotch banks draw on London at 20 days' date.

Irish Banks.—The Bank of Ireland was established in 1783, and the same restriction as to the number of partners in other banks that formerly prevailed in England was enacted in its favour. Owing to that and other causes, the bankruptcies of private banks have been more frequent in Ireland than in England. In 1821 this restriction was repealed, as respects all parts of the country more than 50 Irish miles from Dublin. Since that period several banking companies, with large bodies of partners, have been set on foot in different parts of the country: of these, the Provincial Bank, founded on the Scotch model, is among the most flourishing. We subjoin—

An Account of the Notes in Circulation of the Bank of England, and of other Banks of Issue in England and Wales, Scotland, and Ireland, during the Year 1845.

Four Weeks ending	England and Wales.			Scotland.	Ireland.		Total.	Bullion in the Bank of England.
	Bank of England.	Private Banks.	Joint Stock Banks.	Chartered Private and Joint Stock Banks.	Bank of Ireland.	Private and Joint Stock Banks.		
24th May, 1845	21,038,000	4,625,600	3,294,981	3,357,251	4,029,575	2,897,787	40,143,194	15,985,000
21st June, ,,	21,277,000	4,3 8,833	3,131,109	3,485,531	3,882,600	2,736,432	38,911,505	16,544,000
19th July, ,,	22,076,000	4,479,679	3,151,775	3,353,906	3,860,475	2,831,657	39,541,492	16,274,000
16th Aug. ,,	22,597,000	4,42 ,177	3,124,464	3,308,255	3,770,775	2,582,384	39,783,055	15,711,000
13th Sept. ,,	21,931,000	4,358,253	3,142,142	3,341,397	3,712,725	2,547,130	39,032,647	15,501,000
11th Oct. ,,	21,890,000	4,551,712	3,311,527	3,426,074	3,907,025	2,926,263	40,022,603	14,988,000
8th Nov. ,,	24,136,000	4,740,288	3,334,419	3,513,998	4,374,850	3,449,690	42,629,235	13,240,000
6th Dec. ,,	22,015,000	4,599,2.8	3,221,883	3,804,031	4,404,175	3,311,155	41,327,022	13,334,000
3rd Jan., 1846	21,028,000	4,505,823	3,162,742	3,336,409	4,651,200	3,053,166	39,437,340	13,313,000

NOTE.—Monthly returns of the circulation and bullion of the Bank of England are not now made to the Stamp Office. Since the Act of 7 and 8 Vict. c. 32, came into operation, in August, 1844, weekly returns only of the state of the Issue Department and of the Banking Department have been made for the purpose of publication in the Gazette.

An Account of the Quarterly Averages of the Weekly Liabilities and Assets of the Bank of England, from the 17th May, 1845, to 24th May, 1846.

Date.	Notes in Circulation.	Deposits.	Total Liabilities.	Securities.	Bullion.	Total Assets.
17th May 1845	21,465,000	15,529,000	36,994,000	24,470,000	15,890,000	40,360,000
14th June, ,,	21,634,000	15,572,000	37,206,000	24,363,000	16,106,000	40,469,000
12th July, ,,	21,801,000	15,416,000	37,217,000	24,151,000	16,236,000	40,387,000
9th Aug. ,,	21,832,000	15,505,000	37,337,000	24,338,000	16,208,000	40,546,000
6th Sept. ,,	22,015,000	15,107,000	37,202,000	24,518,000	15,986,000	40,504,000
4th Oct. ,,	22,210,000	14,885,000	37,095,000	24,929,000	15,581,000	40,543,000
1st Nov. ,,	22,338,000	15,038,000	37,376,000	25,768,000	15,030,000	40,798,000
29th Nov. ,,	22,270,000	15,544,000	37,8?4,000	26,814,000	14,379,000	41,193,000
27th Dec. ,,	22,151,000	16,112,000	38,263,000	27,770,000	13,742,000	41,512,000
24th Jan., 1846	21,860,000	16,612,000	38,492,000	28,377,000	13,371,000	41,748,000

Those who wish for full accounts of the circulation, bullion, &c. of the Bank of England, for a lengthened series of years, may refer to the article on that establishment in the *Commercial Dictionary*. It would take up too much space to give a list of all the English joint stock and private banks, with the maximum authorized issue of each (See *Supp. to Commercial Dictionary*); but we may give the following statements with respect to Scotch and Irish banks:—

An Account of the Scotch Banks empowered to Issue Notes, specifying the Maximum Authorized Issue of each, under the 8 and 9 Vict. c. 38, with other particulars.

Names of Banks.	Head Office.	When Established.	Branches and Sub-Branches.	Number of Partners.	Capital Advanced.	Circulation authorized by 8 & 9 Vict. c. 38.
					£.	£.
Bank of Scotland	Edinburgh	1695	93	654	1,000,000	300,485
Royal Bank of Scotland	Ditto	1727	6	854	2,000,000	133,000
British Linen Company	Ditto	1746	48	206	500,000	439,024
Dundee Banking Company	Dundee	1763	8	57	60,000	33,451
Perth Banking Company	Perth	1766	1	185	100,000	33,656
Aberdeen Banking Company	Aberdeen	1767	15	870	240,000	98,467
Commercial Bank of Scotland	Edinburgh	1810	52	550	600,000	374,850
National Bank of Scotland	Ditto	1825	34	1,492	1,000,000	297,024
Aberdeen Town and County Bank	Aberdeen	1825	10	499	150,000	70,133
Union Bank of Scotland	Glasgow	1830	20	598	1,000,000	327,223
Ayrshire Banking Company	Ayr	1831	12	109	30,000	53,656
Western Bank of Scotland	Glasgow	1832	39	703	1,000,000	284,272
Central Bank of Scotland	Perth	1834	7	405	65,000	42,933
North of Scotland Banking Company	Aberdeen	1836	27	1,605	300,000	154,919
Clydesdale Banking Company	Glasgow	1838	11	947	500,000	104,928
Eastern Bank of Scotland	Dundee	1838	4	552	600,000	33,636
Caledonian Banking Company	Inverness	1838	10	938	75,000	53,434
Edinburgh and Glasgow Bank	Edinburgh	1839	20	1,546	1,000,000	136,657
City of Glasgow Bank	Glasgow	1839	6	906	1,000,000	72,921
			363		11,240,000	3,087,209

An Account of the Irish Banks empowered to Issue Notes, specifying the Maximum Authorized Issue of each, under the 8 *and* 9 *Vict. c.* 37, *with other particulars.*

Names of Banks.	Head Office.	When Established.	Branches and Sub-Branches.	Number of Partners.	Capital Advanced.	Circulation authorized by 8 & 9 Vict. c. 37.
					£.	£.
Bank of Ireland	Dublin	1783	24	..	3,000,000	3,732,428
Provincial Bank of Ireland	London	1825	36	367	500,000	927,667
National Bank of Ireland	London	1835	38	213	350,000	761,757
National Bank of Ireland at Clonmel	..	..	..	1,050	..	66,428
National Bank of Ireland at Carrick-on-Suir	..	..	..	973	..	24,084
Ulster Banking Company	Belfast	1836	18	489	200,000	311,079
Belfast Banking Company	Belfast	1827	23	264	125,000	221,611
Northern Banking Company	Belfast	1825	19	179	150,000	243,440
						6,354,494

2. WEIGHTS AND MEASURES.—The inconvenience attending the use of weights and measures of the same denomination, but of different magnitudes, was early remarked; and there is hardly a country in which efforts have not been made to reduce them to the same uniform system. Numerous Acts of Parliament have been passed having this object in view, and enjoining the use of the same weights and measures under very severe penalties. But, owing to the inveteracy of ancient customs, and the difficulty of enforcing the new regulations, these statutes have always had a very limited influence, and the greatest diversity has continued to prevail, except in lineal measures. But the statute 5 Geo. IV. cap. 74, seems to have at length effected what former statutes had failed of accomplishing. It is, perhaps, indebted for its success, in this respect, to the limited nature of the changes which it introduced. It made no alteration in the lineal measures previously in use; neither did it affect the previously existing system of weights. The measures of capacity are the only ones which it changed. The wine gallon formerly contained 231 cubic inches, and the ale gallon 282; but these have been both superseded by the imperial gallon, which contains 277$\frac{1}{4}$ cubic inches.

Our ancient historians tell us that a new, or rather a revised, standard of lineal measure was introduced by Henry I., who ordered that the ulna or ancient ell, which corresponds to the modern yard, should be made of the exact length of his own arm, and that the other measures of length should be raised upon it. This standard has been maintained without any sensible variation. In 1742, the Royal Society had a yard made, from a very careful comparison of the standard ells or yards of the reigns of Henry VII. and Elizabeth, kept at the Exchequer. In 1758 an exact copy was made of the Royal Society's yard; and this copy having been examined by a committee of the House of Commons, and reported by them to be equal to the standard yard, it was marked as such. This identical yard is declared by the Act 5 Geo. IV. cap. 74, to be the standard of lineal measure in Great Britain; and provision is made in the Act for its recovery, in the event of its being lost, by declaring that its length is to that of a pendulum vibrating seconds in the latitude of London as 36 to 39·1393 inches.

1. *Lineal Measure,* deduced from the Standard Yard.

Inches.	Links.	Feet.	Yards.	Poles or Perches.	Chains.	Furlongs.	Mile.
1							
7·92	1						
12	1·515	1					
36	4·545	3	1				
198	25	16½	5½	1			
792	100	66	22	4	1		
7,928	1,000	660	220	40	10	1	
63,360	8,000	5,280	1,760	320	80	8	1

Among mechanics, the inch is usually divided into eighths; but in scientific investigations it is mostly divided into tenths, hundredths, &c. A degree of the equator contains 69·15 English miles. The English foot = ·3048 metres of France = ·984 feet of Berlin = 1·064 feet of Hamburgh = ·927 feet of Lisbon = ·972 Rhineland feet = ·8727 feet of Russia = 1·078 feet of Spain = ·9638 feet of Vienna, &c.

Superficial Measure, deduced from the Standard Yard.

Inches.	Links.	Feet.	Yards.	Poles or Perches.	Chains.	Roods.	Acre.
62·726	1						
144	2·295	1					
1,296	20·661	9	1				
39,204	625	272¼	30¼	1			
627,264	1,000	4,356	484	16	1		
1,568,160	25,000	10,890	1,218	40	2½	1	
6,272,640	100,000	43,560	4,840	160	10	4	1

The imperial acre is to the Scotch acre as 1 to 1·261, and the Irish, or plantation, acre contains 1 acre 2 roods and $19\frac{21}{121}$ poles; hence $30\frac{1}{4}$ Irish are equal to 49 imperial acres, or the imperial acre is to the Irish acre as 1 to 1·62. One imperial acre = ·4046 hectares of France = 1·561 morgen of Prussia = ·7025 joch of Austria, &c.

2. *Measures of Capacity.—Imperial Liquid and Dry Measure,* deduced from the Standard Gallon, containing 10 lbs. weight of Distilled Water, at the temperature of 62°, barometer 30 inches.

Weight of Water	Cubic Feet.	Cubic Inches.	Gills.	Pints.	Quarts.	Pottles.	Gallons.	Pecks.	Bushels.	Cooms.	Quarter.
5 oz.	..	8·665	1								
lbs. 1¼	..	35·659	4	1							
2½	..	69·318	8	2	1						
5	..	138·637	16	4	2	1					
10	..	277·274	32	8	4	2	1				
20	..	554 548	64	16	8	4	2	1			
80	1·2837	2,218·191	256	64	32	16	8	4	1		
320	5·1347	8,872·763	1,024	256	128	64	32	16	4	1	
640	10·2694	17,745·526	2,048	512	256	128	64	32	8	2	1

The old wine gallon contained 231, and the old ale gallon 282, cubic inches. The dimensions of the imperial bushel are—the outer diameter 19½ inches, the inner diameter 18½ inches, and the depth 8½ inches. The Winchester bushel, which used

to be the most common measure for corn in England, contained 2,150·42 cubic inches, being about $\frac{1}{32}$ part less than the imperial bushel. The quarter of 8 bushels standard measure = 2·907 hectolitres of France = 5·29 bushels of Berlin = 2·76 bushels of Hamburgh = 4·728 metzen of Vienna = 1·45 chetwerts of Russia, &c.

3. *Measures of Weight.—Troy Weight*, deduced from the Standard Troy Pound of 5,760 grains.

Troy Grains.	Dwts.	Ounces.	Pound.
24	1		
480	20	1	
5,760	240	12	1

Gold, silver, platina, jewels, &c. are weighed by troy weight. It is likewise used in ascertaining the strength of spirituous liquors, and other philosophical experiments, and for comparing different weights with each other.

The pound troy = 373·202 grammes of France = ·755 lbs. of Amsterdam = 1·597 marcs of Berlin = ·77 lbs. of Hamburgh = ·3732 kilogrammes (French) = ·9116 lbs. of Russia = 1·622 marcs of Spain = 1·33 marcs of Vienna, &c.

A carat is a weight of 4 troy grains. When this term is applied to gold, it denotes its degree of fineness. Any quantity of gold is supposed to be divided into 24 parts or carats: if the whole mass be pure, it is said to be 24 carats fine; if there be 23 parts of pure metal and 1 part of alloy, it is called gold of 23 carats fine; and so on.

Diamond Weight.

Diamonds and pearls are also weighed by carats of four grains; but 5 diamond grains are only equal to 4 troy grains. This weight is nearly the same all over the globe,—1 oz. troy is equal to 150 diamond carats.

Apothecaries' Weight.

20 troy grains	=	1 scruple
3 scruples	=	1 dram.
8 drams	=	1 ounce.
12 ounces	=	1 pound, 5,760 troy grains.

The apothecaries' pound and ounce are the same as the troy pound and ounce, but the smaller divisions are different. This weight is used in medical prescriptions only.

Apothecaries' Fluid Measure.

1 fluid minim	=	-	0·0037 cub. inch.
60 fluid minims	=	1 fluid dram,	0·2256 —
8 fluid drams	=	1 fluid ounce,	1·8047 —
16 fluid ounces	=	1 fluid pint,	28·8750 —
8 fluid pints	=	1 gallon,	231·0000 —

Avoirdupois Weight, deduced from the Imperial Standard Pound of 7,000 Troy Grains.

Troy Grains.	Drams.	Ounces.	Pounds.	Stones.	Quarters.	Hundred Weights.	Ton.
27·34375	1						
437·5	16	1					
7,000	256	16	1				
98,000	3,584	224	14	1			
196,000	7,168	448	28	2	1		
784,000	28,627	1,792	112	8	4	1	
15,680,000	573,440	35,840	2,240	160	80	20	1

The statute of 5 and 6 Will. IV. cap. 63, enacts, that all articles sold by weight are to be sold by avoirdupois weight, except gold, silver, platina, diamonds, or other precious stones, which may be sold by troy weight; and drugs, which, *when sold by*

retail, may be sold by apothecaries' weight. The stone is in *all* cases to consist of 14 lbs. avoirdupois, the cwt. of 8 such stones, and the ton of 20 such cwts.

The pound avoirdupois = 453·544 grammes of France = ·97 lbs. of Berlin = ·908 lbs. of Copenhagen = ·9363 lbs. of Hamburgh = ·50796 kilogrammes (French) = 1·11 lbs. of Russia = ·8097 lbs. of Vienna, &c.

Bread and Flour Weight.

4 lbs. 5½ ounces	avoirdupois	=	1 quarter loaf.
8 lbs. 11 ounces	ditto	=	1 half peck ditto.
17 lbs. 6 ounces	ditto	=	1 peck loaf.

Note.—A peck of flour is 14 lbs.; a bushel of flour 56 lbs.; a boll 140 lbs. A sack, or 3 bushels, is 280 lbs., or 2½ cwt. avoirdupois.

Hay and Straw Weight.

36 lbs.	avoirdupois of straw	=	1 truss.
56 lbs.	ditto of old hay	=	1 truss.
60 lbs.	ditto of new	=	1 truss.
36 trusses.		=	1 load.

Hence a load of straw weighs 11¼ cwt.; a load of old hay 18 cwt.; a load of new hay 19½ cwt. avoirdupois.

By Act 36 Geo. III. cap. 88, each truss of hay, sold between 31st of August in any year and 1st of June in the succeeding year, must weigh 56 lbs.; and every truss of hay sold between 1st of June and 31st August, being new hay of the summer's grass of that year, shall weigh 60 lbs. But by the Act 5 & 6 Will. IV. cap. 63, all local and customary measures are abolished.

Wool Weight.

7 lbs. avoirdupois	=	1 clove.	6½ tods	=	1 wey.
14 lbs. or 2 cloves	=	1 stone.	2 weys	=	1 sack.
2 stones	=	1 tod.	12 sacks	=	1 last.

A pack of wool is 12 score, or 240 lbs. avoirdupois. In Gloucestershire, 15 lbs. made a stone of wool; while in Hertfordshire the stone was only 12 lbs.; but, as already stated, these local weights are now abolished.

3. ROADS.—Highways of one sort or another must, of course, exist in every country emerged from barbarism; but in England, the statute 2 and 3 Philip and Mary, c. 8, is the first legislative enactment in which a regular provision was made for the repair of the roads. At common law every parish was bound to keep the roads that intersect it in good and serviceable condition. But until the epoch now mentioned, this duty, not being devolved upon any particular person, was very much neglected. The preamble to the Act of Philip and Mary declares, that the roads were tedious and noisome to travel on, and dangerous to passengers and carriages; and, therefore, it enacts that in every parish two surveyors of the highways shall be annually chosen by the inhabitants in vestry assembled, and that the inhabitants of all parishes shall be obliged, according to their respective ability, to provide labourers, carriages, tools, &c., for *four* days each year, to work upon the roads under the orders of the surveyors.

The plan of making and repairing roads by contributions of forced labour, though established in most other European countries as well as England, and a very great improvement on the system by which it was preceded, is, notwithstanding, one of the worst that can be imagined. Its defects were long since perceived, and individuals subject to such contribution were allowed to compound with the surveyors on payment of certain rates. But the system is now wholly abandoned. The great lines of road have been long exempted from its operation; and in 1835 the laws relating to cross or parish roads in England

were consolidated by the statute 5 and 6 Will. IV., c. 50. This Act authorises the surveyor, appointed by the vestry, to levy a rate on the parish, on the basis of the assessment for the poor, for the repair and construction of the roads; and it further authorises the rate-payers, if a majority of them shall see fit, to divide among themselves the carriage of the materials for the repair of the roads, being paid for such work at the discretion of the justices. Hence, the rate-payers who now engage to work upon the roads are as much voluntary contractors as if they belonged to another part of the country, and had nothing to do with the assessment. The surveyors are elected for a year, and may be either paid or not. A number of parishes may unite and appoint a district surveyor; and in populous parishes, or those having more than 5,000 inhabitants, a board may be appointed for the superintendence and repair of the highways. Every highway leading to any market-town must be 20 feet wide at least; and every public horseway 8 feet at least. The justices may, at the expense of the parish or district, increase the width of any highway they reckon too narrow, to the breadth of 30 feet, but not more. Directions are also given for the setting up of sign-posts, milestones, &c.

This system has some good and some defective points. It is reasonable to suppose, inasmuch as the surveyor is appointed by the vestry, or principal inhabitants in a parish, by whom also the rate for the construction and repair of the roads must be principally paid, that they will be anxious to select the best individual, to proscribe every useless expense, without, at the same time, allowing the roads to get into a bad state. On the other hand, however, the business of road-making requires considerable scientific skill and practical experience; and the roads of one parish ought to be so combined with those of others as to form part of a consentaneous system. But the parochial surveyors are mostly very deficient in the knowledge of their business, of the principles of which they, in general, know nothing; and, from the want of any combined system, the roads in one parish are frequently very good, while those uniting with them, in the adjoining parishes, may be very bad. It is easier, however, to point out defects than to suggest any efficient remedy. Perhaps the best thing that could be done, would be, to provide for the uniting of parishes into districts of considerable extent; and to restrict the choice of surveyors to persons who had been found qualified, upon examination by competent authority, to undertake the duty.

The system established by the Act of Philip and Mary was improved and consolidated by Acts passed in the reigns of Elizabeth and James I., and for a time answered pretty well. But the great increase of wealth and population that took place during the reigns of James I. and of Charles I. and II., having led to a great increase of travelling and the employment of many pack-horses, wheel carriages, &c., the old system was found to be quite inadequate for the keeping up and repair of the great roads, particularly in the vicinity of London. In consequence a new plan for raising a revenue for the construction and repair of the roads, by imposing tolls, payable at toll-gates (called turnpikes), was introduced by the Act of 26 Charles II., c. 1, which imposed tolls on all travellers by the Great Northern Road passing

through the counties of Hertford, Cambridge, and Huntingdon. This system, however, was for a lengthened period exceedingly unpopular; and it was not till after the peace of Paris, in 1763, that turnpike roads began to be extended to all parts of the kingdom; and that the means of internal communication began, in consequence, to be signally improved. The turnpike roads of England and Wales would, if joined together, form a continuous line of above 23,000 miles in length. The expenditure by the trustees, on account of these roads, in 1841, amounted to 1,551,336*l.*; the revenue for the same year being 1,574,518*l.*: of the total expenditure, 302,182*l.* went to defray interest of debt.—(*Parl. Paper*, No. 580, Sess. 1843.) The length of the various cross roads and other highways, exclusive of turnpikes, is estimated at about 104,000 miles.

The usual method in constructing a turnpike road is to place it, if it be only for a short distance, under the management of a set of trustees; but if its length be considerable, it is usually placed under the management of various sets of trustees, each set being entrusted with the care of a certain portion. The trustees are appointed by Act of Parliament; and in general consist not merely of the proprietors of the estates through and contiguous to which the road passes, but also of the principal farmers and most opulent tradesmen in the vicinity. All details, with respect to the construction and repair of turnpike roads, are committed to the care of surveyors, appointed by and acting under the orders of the trustees.

The trustees may borrow money on security of the tolls and other revenues under their control. By this means they are enabled to complete, without delay, an undertaking that it might otherwise be impossible to accomplish for many years. This expedient is, in consequence, often resorted to. Most trusts, are, indeed, largely indebted. Exclusive of a large amount of floating debt, the debt secured by mortgage of tolls, &c., on the turnpike roads of England, amounted, in 1829, to 5,578,815*l.*!

This system has some very obvious defects. The trustees are too numerous, and seldom act on any well-considered systematic principle: they too often appoint incompetent surveyors; their accounts are not subjected to any examination, nor do they act under any sufficient responsibility; and owing to the number of trusts on the same road, it is frequently, in different parts, in a very different state of repair. The late Sir Henry Parnell suggested means for obviating these defects. Of these, the principal seem to be the obliging of the trustees to select by ballot a small committee from among themselves, to whom the management of the revenue and all that belongs to the trust, including the appointment and dismissal of surveyors, should be committed. Sir Henry farther suggested that all sets of trustees should be obliged to forward statements of their accounts and proceedings to the Commissioners of Land Revenue, who should be authorised to appoint engineers to examine into the state of the roads, and in some degree to control the management of the different trusts. The carrying of some such suggestions into effect would, no doubt, be in various respects an improvement on the existing system. But we should, notwithstanding, be extremely jealous of any plan that tended to bring

the management of the turnpike roads under the control of any single board. Such a plan would most likely lead to the improvement of the great lines of road, and we should not object to its being applied to them. But if *all* turnpike roads were subjected to such control, it is abundantly certain that the same thing that has happened in France would happen here; that is, that a few great roads would be kept in good order, while the other roads, though of hardly less importance, would be comparatively neglected.

State of the Roads.—Though vastly improved, as compared with their condition about the middle of last century, when, indeed, they were in various places all but impracticable for wheeled carriages, many of the turnpike roads continued down to a late period to be, and some are still, in a very bad state. But previously to the time, when the public attention began to be wholly diverted from the public roads to railways, the former had been very greatly improved; and a few had been constructed on the most approved principles. The road from London to Holyhead is one of these, and is, without doubt, one of the best in the kingdom. It was not formed under the superintendence of road trustees, but of parliamentary commissioners, appointed for the purpose, who employed the late Mr. Telford, as their engineer. But, with this, and a few other exceptions, most part of the roads were far from being in the state that might have been expected, and in which, indeed, they ought to be. The principal defect consists in their unevenness, for instead of being carried round, they are, even where the distance saved is nothing, or but inconsiderable, mostly carried over hills. Besides this defect, "the breadth of a road is seldom defined to a regular number of feet, by straight and regular boundaries, such as fences, footpaths, mounds of earth, or side channels. The transverse section of the surface when measured is rarely to be found of a regular convexity. The surface of all the roads, until within a few years, was everywhere cut into deep ruts; and even now, since more attention has been paid to road works, though the surface is smoother, the bed of materials which forms it is universally so thin, that it is weak, and consequently, exceedingly imperfect. Drainage is neglected; high hedges and trees are allowed to intercept the action of the sun and wind in drying the roads; and many roads, by constantly carrying away the mud from them for a number of years, have been sunk below the level of the adjoining fields, so that they are always wet and damp, and extremely expensive to keep in order, owing to the rapid decay of the materials laid upon them."*

The following rules for the construction of roads have been deduced from the treatise now referred to, which has generally been admitted to be the best work hitherto published on, this important department of national economy:—1st. Where practicable, an even line should be always selected; and where it is departed from, the acclivity should not, if possible, exceed 1 foot in 35 or 40. 2ndly. The road should be made of a regular uniform width, and properly fenced off. 3rdly. A road which is likely to be much used, particularly by heavy carriages, should always be constructed with a foundation or bottoming of large stones, laid in the form of a pavement, over

* *Treatise on Roads*, by Sir Henry Parnell, Bart. M. P., p. 27.

which should be spread a thick covering of stones broken small. 4thly. The surface of the roads should be uniform, smooth, and convex. And 5thly. The road should be raised above the level of the surrounding ground, and kept thoroughly dry by proper drains, having sufficient outlets for their water.

Scotch Roads.—The principal roads in Scotland are turnpike roads, and the Acts in relation to them are similar to those of England; "but in consequence of the excellent materials which abound in all parts of Scotland, and of the greater skill and science of Scotch trustees and surveyors, they are superior to the turnpike roads of England."—(*Parnell*, p. 313.)

The provision for repairing roads and bridges in Scotland originally consisted, as in England, of the compulsory or statute labour of the inhabitants, with their horses, carts, &c., for three days before, and three days after harvest. And in the reign of George I. it was enacted (5 Geo. I., c. 30.), that in the event of the statute labour not being sufficient for the repair of the highways, an assessment, not exceeding one-half per cent., on the valued rent, might be imposed on landed property to make up the deficiency. The administration of all highways that are not turnpike roads, or included under the modern county Acts, is committed, by the old law of Scotland, to the justices of the peace and the commissioners of supply—that is to the justices and the proprietors of lands worth 100*l.* Scotch, and upwards, of valued rent. Two general meetings of these justices and commissioners are held yearly in each county, for the regulation of all matters concerning the highways. The meetings are empowered "to set down a particular list of highways, bridges, and ferries within their bounds, and to divide the parishes of the said bounds, as they lie nearest to the several highways to be repaired, and as they may have the most equal burdens; and to appoint such of their number, or others, overseers of such parts and portions of the said highways as are most convenient and nearest to their ordinary residence; and to nominate such of their number as they see fit to survey and give an account of the highways, bridges, and ferries, unto the rest; with powers to them to appoint meetings, from time to time, till the survey, list, and division of the said highways be closed."—(*Act*, 1669, *c.* 10.)

But since 1750 this system has been much modified. At that period, the roads of Scotland were in the most wretched state imaginable, being, in fact, in most places, mere horse-paths, and these practicable only at certain seasons of the year. After the country began to improve, and wealth to increase, the necessity of adopting some more efficient system for the repair of the roads became obvious. In consequence, Acts of Parliament were obtained, authorising the formation of the turnpike roads, and regulating the amount of toll to be charged on those using them.* Since then, also, most of the Scotch counties have obtained local Acts, by which the statute labour is commuted for a fixed money payment, and power is given to impose assessments on landed property; but the rates of commutation, and

* The first of these acts, the 23 Geo. II. c. 17, was passed in 1750. It was for the repair of the great post road from Douglas Bridge to the town of Haddington, and thence to Ravenshaugh Burn, in the county of Haddington.

the maximum of assessment, differ in different counties, according to the varying circumstances of each. By these Acts the administration of all matters relating to the roads is vested in trustees. Sheriffs depute and substitute, and all persons in the commission of the peace, are appointed trustees: with all individuals, and their eldest sons, being owners of estates worth 100*l.* Scotch a year, and upwards, of valued rent; one guardian or trustee of all minors possessing such property; and the provost and the two eldest bailies of every burgh. The Act usually divides the county into districts; the trustees residing in each district being appointed to manage the roads contained in it.

The district trustees, at their meetings, prepare statements and estimates, which are laid before the general meeting of the trustees of the county.

The latter have power to order an assessment to be made on the occupiers of lands, not exceeding the amount prescribed in the Act.

The proceedings of the trustees of the districts, at their meetings, are subject to the direction, revision, and control of the general meetings.

The trustees of the district meetings, appoint surveyors of the roads in their districts, with salaries.

Sufficient powers are given to the trustees for obtaining land and materials, and for making, widening, and repairing roads, and building bridges.

According to Sir Henry Parnell, this system of managing the highways has the following advantages over the English system of parish management:—

"1st. A more efficient governing authority is provided.

"2nd. The obstacle to a uniform and efficient management of the roads, which the small divisions of parishes occasion, is obviated, by giving the general management of all the roads of a county to the general meetings of the trustees.

"3rd. The funds for maintaining the roads are derived from a regular assessment on the lands, instead of by statute labour.

"4th. The surveyors are appointed permanently, and with fixed salaries.

"The experience of the manner in which the new Scotch system has worked, fully establishes its great superiority over the old Scotch system, which still exists in some counties, and over the English parish system; and leads to the conclusion that it is expedient to make it universal in Scotland, and substitute it in England instead of the English system."—(P. 315.)

It is not easy for those accustomed to travel along the smooth and level roads by which every part of Scotland is now intersected to form any accurate idea of the difficulties the traveller had to encounter in that country a century ago. Roads were then hardly formed; and, in summer, not unfrequently consisted of the bottoms of rivulets. Down to the middle of last century, most part of the goods conveyed from place to place in Scotland, at least where the distances were not very great, were carried, not by carts or wagons, but on horseback. Oatmeal, coals, turf, and even straw and hay, were conveyed in this way! At that period, and for long previously, single-horse traffickers

(cadgers) regularly plied between different places, supplying the inhabitants with such articles as were then most in demand, as salt, fish, poultry, eggs, earthenware, &c.; these were usually conveyed in sacks or baskets, suspended one on each side the horse. But in carrying goods between distant places, it was necessary to employ a cart, as all that a horse could carry on his back was not sufficient to defray the cost of a long journey. The time that the *carriers* (for such was the name given to those that used carts) usually required to perform their journeys seems now almost incredible. The common carrier from Selkirk to Edinburgh, *thirty-eight* miles distant, required a *fortnight* for his journey between the two places, going and returning! The road originally was among the most perilous in the whole country; a considerable extent of it lay in the bottom of that district called Gala-water, from the name of the principal stream, the channel of the water being, when not flooded, the track chosen as the most level, and easiest to travel in!

Even between the largest cities the means of travelling were but little superior. In 1678, an agreement was made to run a coach between Edinburgh and Glasgow, a distance of 44 miles, which was to be drawn by *six* horses, and to perform the journey from Glasgow to Edinburgh and back again in *six* days. Even so late as the middle of last century, it took 1½ day for the stage coach to travel from Edinburgh to Glasgow, a journey which is now accomplished in 4½ or 5 hours.

So late as 1763, there was but one stage coach from Edinburgh to London, and it set out only once a month, taking from 12 to 14 days to perform the journey. Previously to the late opening of the railway, by which they have been in a great measure superseded, there were, exclusive of steam packets, smacks, &c., three or four coaches which set out each day from Edinburgh for London, and conversely, performing the journey in from 45 to 48 hours.—(*Robertson's Rural Recol.* pp. 39—44.)

Highland roads.—Besides the roads constructed in Scotland under the system now described, a large extent of excellent road has been formed, either wholly or partly at the public expense, and under a different system of supervision. During the rebellion of 1715 the royal troops were unable, from the want of roads and the impracticable nature of the country, to advance beyond Blair in Athol; and to obviate this inconvenience in future, government soon after began to employ part of the troops quartered in Scotland in the construction of military roads in different parts of the Highlands, which, when finished, extended in all to about 800 miles. Unluckily they were not well planned: being for the most part carried, wherever it was practicable, direct from place to place, they were necessarily hilly, and were, also, too narrow. About the commencement of the present century, it became a question whether it was worth while for Government to continue to defray the expense of keeping these roads in repair. But, though it was ascertained that they were no longer of any material use as military roads, they were found to be of the greatest importance as affording a means of communication; and the inquiries then set on foot, impressed Government with a conviction, that nothing

would contribute so much to the improvement of the Highlands as their intersection with good roads. But, this being an undertaking that exceeded the limited means of the proprietors and inhabitants, parliamentary commissioners were appointed, who were authorised to decide upon the roads proper to be constructed, and to superintend their execution; the public agreeing to defray half the cost of such roads, the other half being defrayed by the proprietors, or other persons benefited thereby. The measure has been most successful. "The Highland counties were prompt to the call, in contributing their quota. The whole amount of parliamentary advances, including interest, has been 267,000*l.*, and the county advances 214,000*l.*; they being only liable for half the expense of making the roads, the expense of general management falling on the public. About 60,000*l.* beyond these sums have been defrayed by individuals; so that about 540,000*l.* have been expended upon the Highland parliamentary roads. The length of new roads formed by this joint fund has been 875 miles, and the number of bridges of all kinds 1,117. With the exception of 148 miles in Argyle and Bute, these parliamentary roads lie almost wholly in Inverness-shire and the northern counties."—(*Anderson's Highlands*, p. 60.) The operations were conducted by Mr. Telford; and, though the region which the roads traverse be the most mountainous and rugged in the empire, they have been laid out with so much skill and judgment, that the acclivities are almost every where moderate.

Since the parliamentary roads were undertaken, a large portion of the old military roads has been allowed to fall into disrepair; but nearly 300 miles of them are still kept up. In 1814 they were placed under the control of the parliamentary commissioners, who have now about 1,200 miles of road under their care. The total charge on account of repairs, &c., amounts to about 10,000*l.* a year.

It would not be easy to enumerate the advantages that have resulted from the construction of these roads. They have done more than anything else that could have been done to promote the improvement of the Highlands. The proprietors have made very great exertions to extend the advantages of improved communication to districts removed from the parliamentary roads. In the county of Sutherland only, about 350 miles of road have been constructed, at the expense of the county, since 1810, exclusive of the parliamentary roads.

Irish roads.—The roads of Ireland are, generally speaking, well laid out, and in a good state of repair. This result is ascribed, by Sir Henry Parnell, to the abolition of the old system of statute labour in 1763, and the placing of the construction and administration of roads under the control of the grand juries. The method of proceeding is as follows:—Any person who wishes to have a new road constructed, presents a memorial to the grand jury at the assizes, with an affidavit of its necessity. A deliberation then takes place upon the subject, and, if the grand jury allow the presentment, the road is either made or repaired, as the case requires: the accounting presentment is sworn to, and must receive the sanction of the judge. Mail coach roads are determined upon by the postmaster-general, and the expense is defrayed by a tax on the county. The money for other roads is

raised by a baronial tax, each barony paying the expense of the roads within its boundaries.—(*Wakefield's Ireland*, vol. i., p. 657.)

Besides the roads constructed under the above regulations, a considerable extent of road has, within these few years, been constructed in different parts of the country, at the public expense, under the superintendence of the Board of Public Works. These roads are said to have been productive of the best effects; but it seems unreasonable that those through whose property they pass, and who are principally benefited by them, should contribute nothing towards the expense of their construction, and of keeping them in repair.

RAILWAYS.

But every existing means of communication, whether by improved roads or canals, is already nearly superseded, at least between places of any importance, by the construction of railways and the employment of locomotive engines. These, which rank among the most important and most advantageous improvements and discoveries of modern science, have effected a total revolution in the means and methods of conveyance. They have immeasurably increased the facilities of communication; passengers and goods being transported by their agency, from place to place, with a celerity, cheapness, and (where proper precautions are taken) security, that could not previously have been supposed possible; and which, in fact, are all but miraculous.

Construction of Railroads.—The friction on a perfectly level railroad, properly constructed, is estimated to amount to from one-seventh to one-tenth only of the friction on an ordinary level road; so that, supposing the same force to be applied in both cases, it would move a weight from 7 to 10 times as great on the former as on the latter. But if there be a very moderate ascent, such as 1 foot in 50, which in an ordinary road would hardly be perceived, a great increase of power on the railroad is required to overcome the resistance that is thus occasioned. The reason is, that the ordinary load on a *level* railroad is about *seven times as great* as on a common turnpike road; so that when the force of gravity is brought into operation by an ascending plane, its opposing power, being *proportioned to the load*, is 7 times as great as on a common road. Hence the vast importance of having railroads either level or as nearly so as possible.

It is also of great importance that railroads should be straight, or, at least, free from any abrupt curves. Carriages being kept on the road by *flanges* on the wheels, it is obvious, that where the radius of the curves is comparatively short, the friction on the sides of the rails, and consequent retardation, are proportionally great. In the Manchester and Liverpool Railroad, the curves form segments of a circle which, if extended, would embrace a circumference of 15 miles.

Iron railroads, the kind now generally used, are of two descriptions. The *flat rail* or *tram-road*, consists of cast-iron plates about 3 feet long, 4 inches broad, and ½ inch or 1 inch thick, with a flange, or turned up edge, on the inside, to guide the wheels of the carriage. The plates rest at each end on *sleepers* of stone or wood, sunk into the earth, and they are joined to each other so as to form a continuous

horizontal pathway. They are, of course, double; and the distance between the opposite rails, or width of *gauge*, which, of course, determines the width of the carriage, is from 4 feet 8½ inches, the narrow, to 7 feet the wide gauge; the former being, however, by far the more extensively introduced. The *edge rail*, which is found to be superior to the tram rail, is made either of wrought or cast iron; if the latter be used, the rails are about 3 feet long, 3 or 4 inches broad, and from 1 to 2 inches thick, being joined at the ends by cast-metal sockets attached to the sleepers. The upper edge of the rail is generally made with a convex surface, to which the wheel of the carriage is attached by a groove made somewhat wider. When wrought iron is used, which is in many respects preferable, the bars are made of a smaller size, of a wedge shape, and from 12 to 18 feet long; but they are supported by sleepers at the distance of every 3 feet. In the Liverpool Railroad the bars are 15 feet long, and weigh 75 lbs. per lineal yard. The waggons in common use run upon 4 wheels of from 2 to 3 feet in diameter. Railroads are either made double, one for going and one for returning; or they are made with *sidings*, where the carriages may pass each other.

Speed of Carriages on Railroads, &c.—The effect of railways in diminishing friction is familiar to every one; and they have long been used in various places of this and other countries, particularly in the vicinity of mines, for facilitating the transport of heavy loads. But it is only since the application of locomotive engines as a moving power, that they began powerfully to attract the public attention, and that their value has been fully appreciated. These engines were first brought into use on the Darlington and Stockton Railroad, opened on the 27th of December, 1825; but it was not till the opening of the railway between Manchester and Liverpool that the vast importance of this novel means of intercourse was fully perceived. This work, though now far surpassed in magnitude by other railroads, cost nearly a million sterling. It has the advantage of being nearly level; for, with the exception of a short distance at Rainhill, where it is inclined at the rate of 1 foot in 96, there is no greater inclination than in the ratio of 1 foot in 880. The length of the railway is about 31 miles; and it was usual from its opening to perform this journey in handsome carriages attached to the locomotive engines, in 1½ hour, or less! So far, indeed, as respects the facility of passing from the one to the other, this railway has brought Manchester and Liverpool as near to each other as the western part of London is to the eastern part!

The opening of this railway having more than verified the most sanguine anticipations as to the success of such undertakings, and gone far, in fact, to strike time and space out of the calculations of the traveller, gave an extraordinary stimulus to similar undertakings in all parts of the country; and in no long period, there were hardly any two considerable places in Great Britain, how distant soever, which it was not proposed to connect by railways. An immense number of companies have been formed, and a very large amount of capital expended upon, and subscribed for carrying on these undertakings; and there can be no doubt that the country has profited very

largely by the railway system, the facility of intercourse having been prodigiously extended, at the same time that the greater number of the principal lines of road have proved, in a pecuniary point of view, exceedingly beneficial to the parties engaged in them. Latterly, however, railway projects have been carried to an absurd extent; they have been made the pretence for many swindling schemes, and have given birth to an amount of gambling highly prejudicial to industry, and disgraceful to the public. Of the innumerable schemes that are now (1846) before parliament, that are likely to be sanctioned, a large proportion can hardly fail of being ruinous to their projectors.

Among the greater lines of railway now (1846) existing, may be specified the London and North Western, stretching from London, by Manchester and Liverpool, to Carlisle, and which is about being farther prolonged to Glasgow: this is one of the greatest public works ever executed in any country, and is a striking result of the wealth, science, and civilisation of modern times. The railway from London to Bath and Bristol, and thence to Exeter, is also a magnificent work; and is, in some respects, superior to any other in the kingdom. Among the other leading railways may be specified those from London to Southampton, Brighton, and Dover; the Eastern Counties; Midland; North Midland; and North of England Railways; and those from Carlisle to Newcastle, from the latter to Edinburgh; from Edinburgh to Glasgow and Ayr, with a host of others. We subjoin a—

Table showing the Length of the principal British Railways open in 1846, *the Sums expended upon each, &c., with the Dividends per Share and per Cent. per Annum.*

Names of Railways.	Miles Open in 1846.	Total Sums raised by Shares.	Total Sums raised by Loan or Mortgage.	Total Sums Expended at Dates of latest Balance Sheets.	Cost of Working for Six Months, as stated in latest Balance Sheets.	Total Earnings for Six Months, as stated in latest Balance Sheets.	Dividend at Meeting previous to August, 1846. Per Share.	Per Cent. per Annum.
		£.	£.	£.	£.	£.	£. s. d.	£. s. d.
Arbroath and Forfar	15	102,000	35,000	140,783	..	..	0 12 6	6 0 0
Chester and Birkenhead	15	750,000	143,170	520,641	5,836	13,148	0 10 0	2 6 8
Dublin and Drogheda	31¾	450,000	150,000	579,254	..	..	1 4 0	3 14 0
Dublin and Kingstown	7¾	200,000	152,230	349,736	..	..	..	9 0 0
Dundee and Arbroath	16¾	100,000	48,445	159,285	2,989	6,993	0 12 6	6 0 0
Durham and Sunderland	18¾	169,350	12,405	270,392	9,819	17,702	0 10 0	2 0 0
Edinburgh and Glasgow	46	1,125,000	375,000	1,049,523	29,429	55,966	1 10 0	6 0 0
Eastern Counties, and Northern and Eastern	143	4,448,200	1,841,155	3,931,905	47,385	118,720	E. 9s. N. 22s.	E. 6l. N. 5l.
Glasgow, Kilmarnock, and Ayr	51	937,500	..	1,156,853	20,063	53,618	1 15 0	7 0 0
Glasgow, Paisley, and Greenock	24¼	650,000	216,666	797,643	11,839	23,447	0 5 0	2 0 0
Gravesend and Rochester	7	..	..	85,000	..	..	..	5 0 0
Great Western	245	4,650,000	3,679,348	7,445,689	143,279	440,046	3 4 0	8 0 0
Hartlepool	18	491,000	155,340	719,205	..	..	..	..
London and North Western, &c.	312	6,874,976	1,921,145	6,997,066	96,413	456,447	5 0 0	10 0 0
London and Blackwall	3¾	894,000	266,000	1,078,951	15,979	23,070	0 4 6	5 0 0
London and Brighton	39	1,835,000	705,000	2,687,753	30,490	130,156	1 15 0	7 0 0
London and Croydon	10¼	550,006	229,000	761,885	7,583	10,545	0 7 0	3 10 0
London and South Western	93	2,222,100	630,100	2,604,406	65,439	150,631	2 0 0	9 0 0
Manchester, Bolton, and Bury	10	778,100	197,730	778,743	6,595	21,140	2 14 0	5 16 0
Manchester and Birmingham	85	2,100,000	680,386	1,925,280	15,327	58,102	..	2 0 0
Manchester and Leeds	56	2,937,500	1,943,932	3,921,563	46,653	156,761	..	8 0 0
Midland	270¾	5,639,266	1,916,469	7,235,388	148,387	309,068	3 10 0	7 0 0
Newcastle and Darlington (amalines)	101	1,026,469	403,975	1,314,700	29,010	75,502	1 2 6	3 0 0
Newcastle and Carlisle	60¾	978,240	188,563	1,135,069	26,499	73,947	..	5 0 0
Newcastle and North Shields	7	150,000	153,876	309,629	8,943	18,468	1 5 0	5 0 0
Norfolk	59	635,322	1,000	275,987	15,354	31,296	0 10 0	5 0 0
Preston and Wyre	19½	830,000	179,652	955,161	4,191	7,066	0 12 6	3 0 0
Richmond	8	..	..	195,000	..	..	..	..
Sheffield and Manchester	41	1,150,000	311,759	995,146	11,595	..	..	..
South Eastern	122	2,096,000	1,530,277	3,464,173	69,283	139,042	0 17 6	3 4 0
Taff Vale	30	535,000	195,000	595,089	9,115	22,692	2 6 11	8 14 6
Ulster	25	519,150	29,000	348,626	5,461	13,956	..	5 10 0
York and North Midland	122	1,397,022	876,040	1,957,979	46,369	165,843	2 10 0	10 0 0

Railway Legislation.—But, notwithstanding the vast advantages which the opening of so many new and improved lines of communication have conferred on the country, we cannot help thinking that these advantages might have been much greater, and that, in the instance of railway legislation, the public interests have been overlooked to a degree that is not very excusable. It is, we admit, no easy matter to decide how far the interference of government should be carried in matters of this sort. But, at all events, this much is obvious, that when parliament is called upon to pass an Act authorising private parties to execute a railway or other public work, it is bound to provide, in as far as practicable, that the public interests shall not be prejudiced by such Act, and that it shall be framed so that it will not, either when passed, or at any future period, stand in the way of the public advantage. We believe, however, that a little consideration will serve to satisfy most persons that this important principle has, in the case of railways, and indeed of most descriptions of public works, been, in this country, all but wholly neglected.

The practice has been for a Railway Act to authorise the company in whose favour it is granted, to appropriate a certain line of road, fixing, at the same time, maximum rates of profit on the company's stock, and maximum rates of charge on the services to be performed by them. But overcharges are not the only evil to be guarded against; and if they were, experience has shown that the restrictions referred to are ill fitted to attain their object. A limitation of the rate of dividend tempts a prosperous company to engage in subsidiary undertakings of doubtful profit; and it further tempts them to countenance an extravagant system of management; to give, by underhand and indirect methods, unfair advantages to their proprietors; and, in short, to adopt every device by which they may retain the highest (or unnecessarily high) rates of charge without apparently raising their revenue above the sum required to defray the maximum rate of dividend. A limitation of the rates of charge is equally inexpedient and ineffectual. The rates are uniformly such as it is supposed will yield, when the railway is about to be constructed, an adequate return to the capital to be vested in it. But the fair presumption is, that the country will continue to increase in wealth and population for an indefinite period with the same rapidity that she has increased since the close of the American war; and if so, these rates will, in a few years, yield a profit or interest far beyond any that was in the contemplation of the parties when the work was entered upon. Now, it is plain, that in cases of this sort, there will be no means of abating the company's profits, or, which is the same thing, its charges against the public, except by constructing, at a vast expense, a new, and otherwise, perhaps, wholly unnecessary road. Hence the obvious expediency in passing Acts for the formation of railways and other public works of reserving power to government to make periodical revisions of the tolls or rates of charge for the services to be performed; to control their management in the view of providing for the greater security and accommodation of the public; and if needs be, to purchase up the concerns on reasonable terms.

The French have adopted the plan, in legislating for railways, of

fixing upon lines and rates of toll with plans for their construction, &c.; such lines are then submitted to public competition, and assigned to those who offer to construct them and work them for the shortest lease or term, at the expiration of which they become the property of the public.

This plan is preferable, perhaps, in some respects, to that previously mentioned; but here we have neither adopted the one system nor the other. And it is all but universally admitted, that our legislation, in regard to railways and public works, has hitherto evinced a highly culpable inattention to the public interests, and been discreditable to the intelligence of the country. Latterly, however, the extraordinary extension of railway projects has forcibly attracted the public attention to the subject; and though many important lines have been, others still remain to be, conceded; so that we may yet, by adopting a well-devised system, check abuse, and provide for the public interests in the lines that have to be granted; and may, probably, also, be able to repair, in part at least, the errors already committed.

It has been objected to the above proposal that the reserving to the public of power to revise the charges on railways and other public works would be of no use, inasmuch as the parties would contrive so to swell their charges as to make their revenue appear not more than a fair return on their outlay. And such, most probably, would be the case, were the statements of the parties to be taken without examination. But who ever proposed that this should be done? If charges are to be revised, government must be authorized to appoint parties to inquire carefully into the management of all concerns with which it is proposed to interfere; and it would be the duty of such parties to proscribe every useless expense, and to ascertain how the railway could be carried on, supposing it were wrought under a system of open competition, and at the least expense, and to frame their report accordingly.

We do not even know that it is too late to interfere with existing railways, in some such way as has been here suggested. Suppose it were enacted that it should be lawful for government to revise the rates of charge, and to lay down new regulations for the government of all railways, 15 or 20 years hence, very little injury would be done to the existing interests of individuals, at the same time that provision would be made for securing those of the public. The fact that the rates of charge on the Birmingham and Great Western Railways were to be revised, and most probably reduced, in 1860 or 1866, would have little influence over the present value of shares in these concerns; and such being the case, the proposed reduction could entail no real injury on the railway proprietors, inasmuch as those who may not choose to be subject to future revision may withdraw at present from the concerns, with little or no loss.

Regulations for the Prevention of Accidents.—Considering the great extent of railways in this country, and the vast number of passengers conveyed by them, the fewness of accidents is most remarkable. Indeed, their greater security appears to be nowise inferior to their greater speed. Still, however, this is a matter in which as little as possible should be left to accident or individual discretion; and considering the immense number of persons frequently conveyed by a single train, and

the tremendous consequences that might ensue from a collision or other accident, we do think that a carefully drawn up code of regulations should be enacted with a view to secure the safety of travellers by railways; and that, should an accident occur, either through the neglect of such regulations or from not complying with their provisions, the offending parties should be subjected to penalties of a severe and stringent description. A government which neglects taking precautions of this sort, neglects one of its most important functions, and allows the lives of those whom it is bound to protect to be endangered or sacrificed by the cupidity, ignorance, or carelessness of the managers and servants (how incompetent soever they may be) of every railway association in the kingdom.

Conveyance of Letters.—The safe and speedy conveyance of letters by post is one of the greatest services rendered to the public by the formation of good roads. It does not really seem, though the contrary has been sometimes contended, that the business of the Post-Office could be so well conducted by any one else as by government. The latter alone can enforce perfect regularity in all its subordinate departments; can carry it to the smallest villages, and even beyond the frontier; and can combine all its separate parts into one uniform system, on which the public may rely both for safety and dispatch.

The tolls imposed to defray the cost of constructing and repairing turnpike-roads, and the postage imposed on letters, are both unexceptionable taxes, provided they be restrained within moderate limits. It is but fair that those who travel along the roads, and those to whom letters are conveyed by post, should pay a reasonable sum for the accommodation that has thus been afforded to them. But oppressive tolls and postages obstruct that facility of communication and intercourse they are intended to promote, and are, in no ordinary degree, injurious. (See *post*, chapter on Revenue.)

4. CANALS.—In Great Britain, owing to the late rise of commerce and industry, and the insular situation of the country, no part of which is very distant from a navigable river, no attempt was made to construct canals till a comparatively recent period. Our first efforts for the improvement of internal navigation were directed to the deepening of rivers and removing the obstructions to their navigation. In 1635, a project was set on foot for rendering the Avon navigable from the Severn, near Tewkesbury, through the counties of Warwick, Worcester, and Gloucester. The civil war having broken out soon after, the project was abandoned, and does not seem to have been again revived. But after the Restoration, and during the earlier part of last century, acts were at different times obtained for deepening and improving river navigation. For the most part, however, these attempts were not very successful. The current of the rivers gradually changed the form of their channels; the dykes and other artificial constructions were apt to be destroyed by inundations; alluvial sand-banks were formed below the weirs; in summer the channels were frequently too dry to admit of being navigated, while, at other periods, the current was so strong as to render it quite impossible to ascend the rivers, which at all times, indeed, was a laborious and expensive undertaking. These difficulties in the way of river navigation seem to have suggested the

expediency of abandoning most rivers, and of digging parallel to them artificial channels, in which the water might be kept at the proper level by means of locks. The Act, passed in 1755, for improving the navigation of Sankey-brook, on the Mersey, gave rise to a lateral canal of this description, about eleven miles and a quarter in length, which deserves to be mentioned as the earliest effort of the sort in England.

But before this canal had been completed, the celebrated Duke of Bridgewater, and his still more celebrated engineer, the self-instructed James Brindley, had conceived a plan of internal navigation, independent altogether of natural channels, and intended to afford the greatest facilities to commerce, by carrying canals over rivers and through mountains, wherever it was practicable to construct them.

English Canals.—The Duke of Bridgewater was the owner of an estate at Worsley, about seven miles from Manchester, in which were valuable coal mines; but owing to the heavy cost of conveying the coal by land carriage to Manchester, the demand for it was comparatively limited. Under these circumstances, the Duke revived the idea that had been previously entertained of making Worsley brook navigable to the river Irwell, which was itself navigable to Manchester. But Brindley, who was fully aware of the superiority of canal navigation over that of almost any river, more especially of one so deficiently supplied with water as the Irwell, recommended his Grace to construct a canal from Worsley to Manchester, and to carry it on the same level all the way, by means of an aqueduct 39 feet high over the Irwell. The Duke having approved of this bold design, it was carried into effect, under the direction of Brindley, with wonderful skill and judgment, and the most perfect success. The canal was afterwards extended through Cheshire to Runcorn, at the bottom of the æstuary of the Mersey, and has ever since been, notwithstanding the competition of the railroad, the principal channel by which all sorts of heavy goods are conveyed between Liverpool and Manchester.

The opening of this canal was productive of vast advantage to the public, having immediately lowered the price of coal in Manchester to half its previous amount, and supplied a speedy, cheap, and regular channel of communication between that town and its port. It was happily, also, highly advantageous to its noble proprietor, who risked a large fortune on the enterprise.

The success that attended this project excited the public attention, in all parts of the empire, to the advantages that might be derived from such undertakings, and gave a wonderful stimulus to canal navigation. Brindley had early conceived the magnificent idea of joining the four great ports of Liverpool, Hull, Bristol, and London, by a system of grand canals, from which subsidiary canals might be carried to the contiguous towns; and though he died in 1772, at the premature age of 56, he had the satisfaction to see his projects considerably advanced towards completion.

The Grand Trunk Canal, or the canal intended to join the Trent and Mersey, the first link in this great chain, was planned by Brindley, and was partly constructed under his superintendence. It proceeds from the Duke of Bridgewater's Canal at Preston Brook, near

Runcorn, in a south-east direction, by Middlewich and Burslem, till near Lichfield, where it turns north-east, joining the Trent at Wilden Ferry, on the north-west angle of Leicestershire. It is 93¼ miles in length. At Harecastle, on the confines of Cheshire and Staffordshire, it is carried under a pretty high hill by a tunnel 2,880 yards in length. This canal has been of vast advantage to the proprietors and the public. In the middle part, where smallest, it is 29 feet broad at top, 16 ditto at bottom, and 4½ ditto deep.

The Grand Trunk Canal has since been united, on the one hand, by the Birmingham and Fazeley, and the Birmingham and Worcester, canals, with the Severn at Worcester; and, on the other hand, the Coventry, Oxford, and Grand Junction canals, have united it with the Thames near Brentford,—completing the internal communication between the four great ports of the kingdom.

The navigation from the Mersey to the Humber, by the Grand Trunk Canal, is very circuitous and tedious. But other and shorter lines of internal navigation have since been opened between them, and which connect, in fact, all the great manufacturing towns of Lancashire and of the West Riding of Yorkshire with each other, and with the ports of Liverpool and Hull. The first constructed of these lines stretches, by a route 130 miles in length, from Liverpool, by Skipton, to Leeds, where it joins the Aire and Calder navigation. This canal was begun in 1770, and was the boldest and most magnificent project of the sort that had been then attempted. It took 46 years to complete, and cost in all about 1,200,000*l*. The original line, which had been approved by Brindley, was, in several instances, departed from in the course of the work. The depth of water is about 5 feet. Notwithstanding its vast expense, and the competition of other lines, it has become, contrary to what was long anticipated, a profitable project for the subscribers. More direct channels of communication, joining the Mersey and Humber, have since been carried across the great central ridge, or high grounds, between Lancashire and Yorkshire, by the Rochdale and Huddersfield canals. The summit level of the latter, at the tunnel where it is carried under Standege Hill, is 656½ feet above the level of the sea, being the highest elevation of any canal in the kingdom. The tunnel referred to is 5,451 yards, above 3 miles in length.

Exclusive of the communication, already noticed, between the Thames and Severn, these two rivers are directly united by three different lines of navigation. Of these, the most northerly is the navigation from Oxford to Lechlade, by the Isis; and from Lechlade to Stroud on the Severn, by the Thames and Severn Canal. The next, or middle navigation, is by the Wilts and Berkshire Canal, from Abingdon on the Thames to near Melksham, where it unites with the Kennet and Avon Canal, extending to Bath and Bristol. The last, or more southerly line, leaves the Thames at Reading. It consists partly of the river Kennet navigation, and partly of the Kennet and Avon Canal, now mentioned. This last is the most direct line of communication by water between London and Bristol, and is the channel by which most part of the bulky articles passing from the one to the other is conveyed. Owing, however, to the heavy cost of its construction, the Kennet and Avon Canal has not been profitable for the undertakers. It is 57 miles

in length; its summit level is 474 feet above high water mark, and it has a minimum depth of 5 feet water. Few canals exhibit so many specimens of aqueducts, tunnels, and deep cutting.

In addition to the above, an immense number of other canals have been constructed at different periods, some of which are of great magnitude and importance; so that England now enjoys an extent of canal navigation amounting in all to above 2,400 miles, and unparalleled in any other European country with the exception of Holland. Few of the English canals are above 7 or under 4 feet in depth. The Gloucester and Berkeley Canal is, however, 18 feet deep, and vessels of 400 tons are, consequently, enabled to reach Gloucester by its means.

All the English canals have been constructed, either by associations or individuals, under the authority of Acts of Parliament, which give power to levy certain rates on the passengers and goods conveyed by them. Unluckily, parliament did not reserve to itself the power to revise and alter these rates of charge; an oversight which has, in many instances, very seriously compromised the public interest.

Latterly, however, there has been, in consequence of the greater facilities of communication afforded by railways, a great decline in the value of most canals. Various projects are now, indeed, on foot for converting some of the principal lines into railways, or for making them subsidiary to, and dependent on, the latter.

Scotch Canals.—In Scotland, the great canal to join the Forth and Clyde was begun in 1768, but it was suspended in 1777, and was not resumed till after the close of the American war. It was finally completed in 1790. Its total length, including the collateral cuts to Glasgow and the Monkland Canal, is 38¾ miles. Its summit level is 150 feet above the level of the sea. It is on a larger scale than most English canals. Its medium width at the surface is 56, and at the bottom 27 feet. Originally it was about 8 feet 6 inches deep; but recently its banks have been raised, so that the depth of water is now about 10 feet. It has, in all, 39 locks. In completing this canal many serious difficulties had to be encountered: these, however, were all successfully overcome; and, though unprofitable for a while, it has, for many years past, yielded a handsome return to its proprietors.

The Union Canal joins the Forth and Clyde Canal near Falkirk, and stretches thence to Edinburgh, being 31½ miles in length. It is 40 feet wide at the top, 20 at bottom, and 5 deep. It was completed in 1822; but has been, in all respects, a most unprofitable undertaking.

A canal intended to form a communication between Glasgow, Paisley, and Ardrossan, was commenced in 1807; but only that portion connecting Glasgow with Paisley and the village of Johnstown has hitherto been finished. This part is about 12 miles long; the canal being 30 feet broad at top, 18 at bottom, and 4½ deep. It was here that the experiments were made on quick travelling by canals, which demonstrated that it was quite practicable to impel a properly-constructed boat, carrying passengers and goods, along a canal at the rate of 9 or 10 miles an hour, without injury to the banks.

The Crinan Canal, across the peninsula of Cantire, is 9 miles long and 12 feet deep, admitting vessels of 160 tons burden. In 1837, 21,406 passengers were carried along this canal.

The Caledonian Canal is the greatest undertaking of the sort attempted in the empire. It stretches south-west and north-east across the island, from a point near Inverness to another near Fort William. It is chiefly formed by Loch Ness, Loch Oich, and Loch Lochy. The total length of the canal, including the lakes, is 58¾ miles; but the excavated part is only 21½ miles. At the summit it is only 96½ feet above the level of the Western Ocean. It is mostly constructed upon a very grand scale, being intended to be 20 feet deep, 50 feet wide at bottom, and 122 at top; the locks are 20 feet deep, 172 in length, and 40 in breadth; and had it been wholly executed, as was originally intended, frigates of 32 guns, and merchant ships of 1,000 tons burden, might have passed through it. It was opened in 1822, being executed entirely at the expense of government, from the designs and under the superintendence of Thomas Telford, Esq. The entire cost has exceeded a million sterling. It would, however, appear to have been projected without due consideration, and promises to be a very unprofitable speculation; the tonnage dues and other revenues being generally insufficient to defray the ordinary expenditure. Owing, also, to a wish to lessen the original expense, and to hasten the opening of the canal, parts of it were not excavated to nearly their proper depth, while others were executed in a hurried and insufficient manner. Hence it is that the canal does not really admit vessels of above 250 or 300 tons burden; and but for the employment of steam-tugs on the lakes, which were not heard of when the work was undertaken, vessels might have been six weeks in making their passage from sea to sea! Under these circumstances we need not be surprised that it has been gravely debated whether it would not be better entirely to fill up and abandon the canal!

Some other canals have been projected and completed in different parts of Scotland. Of these the Don and Dee Canal, from Aberdeen to Inverury, is the most extensive; and the Monkland Canal, for the supply of Glasgow with coal, the most successful.

Irish Canals.—It is pithily observed by Mr. Young, that "*a history of public works in Ireland would be a history of jobs.*"* The canals that have been constructed in that country seem completely to verify this caustic remark. Immense sums of money have been lavished upon them to very little purpose, except the enriching of contractors: and it is not easy to say whether the ignorance displayed by the greater number of the projectors, the waste of public money by which they have been for the most part characterised, or their inutility, be their most prominent features.

Grand Canal.—This, which is the most important of the Irish canals, was begun in 1756. The works have, however, been frequently interrupted; and it was not extended to Ballinasloe till 1829. It was undertaken by a body of subscribers, incorporated for the purpose; but they could not have completed the canal without liberal grants from the public. It commences at Dublin, and stretches in a westerly direction, inclining a little to the south, to the Shannon, with which it unites near Banagher, a distance of about 86 statute miles. But exclusive of the main trunk, there is a branch to Athy, where it joins the

* *Tour in Ireland*, part ii. p. 66, 4to. ed.

Barrow, a distance of about 28 miles; and there are branches to Portarlington, Mount Mellick, and some other places. The westerly branch, from the Shannon to Ballinasloe, is about 14 miles in length. At its highest elevation, the canal is 278 feet above the level of the sea at Dublin; it is 40 feet wide at the surface, from 24 to 26 feet wide at bottom, and has 6 feet water. The locks on the trunk of the canal are 70 feet long, and 14½ wide. Including the main body of the canal, its extension from Shannon harbour to Ballinasloe, and its various branches, its total length is 164 English miles. A considerable part of its course is through the Bog of Allen, a circumstance which added greatly to the expense of its construction. The sums expended upon the Grand Canal, down to 1823, amounted, according to the statement by Messrs. Henry, Mullins, and M'Mahon, to 1,861,000*l.*; and its subsequent extension from the Shannon to Ballinasloe, with the branch to Mount Mellick, have most probably carried its total cost to considerably above 2,000,000*l.*

Two capital errors seem to have been committed in the formation of this canal, it was framed on too large a scale, and was carried too far north. Had the canal had only 4 or 4½, instead of 6 feet water, its expense would have been "vastly lessened," while its efficiency would not have been, in any considerable degree, impaired. But the great error was in its direction. Instead of joining the Shannon about 15 miles above Lough Derg, it should have joined it below Limerick. The advantages of this would have been threefold: 1st, it would have enabled barges bound for or leaving Limerick to avoid the difficult and dangerous navigation of the Shannon; 2nd, it would have run through a comparatively fertile country, to whose products it would have afforded advantageous outlets; and, 3rd, it would have avoided the Bog of Allen, in which, says Mr. Wakefield, "the company have buried more money than would have cut a spacious canal from Dublin to Limerick."—(Vol. i. p. 642.) Its principal use is to facilitate the conveyance of turf, grain, and other produce, to Dublin: but an immense number of passengers are also conveyed by it. In a mercantile point of view, it has been, and is a most unprofitable concern; though there can be no doubt that it has contributed materially to promote commerce and internal improvement, particularly since the extension of its branches to Athy and Mount Mellick.

Royal Canal.—This canal was begun in 1789. It stretches westward from Dublin to the Shannon, which it joins at Tormanbury. Its entire length is 92 miles; its highest elevation is 322 feet above the level of the sea. At bottom it is 24 feet wide, having 6 feet water. The locks are 81 feet long and 14 feet wide. It cost, exclusive of interest on stock, loans, &c., advanced by government, 1,421,954*l.*

The Royal Canal is, if possible, far more injudiciously planned than the Grand Canal. It has the same defect of being extravagantly large; and throughout most part of its course it is nearly parallel to the former, from which, indeed, it is but a short way distant. There are, consequently, two immense canals, where there ought, perhaps, to be none! At all events, it is certain that *one* canal, of comparatively moderate dimensions, would have been quite enough for all the business of the district, though it were much greater than it is at present,

or than it is ever likely to become. The immense sum expended on the Royal Canal has really, therefore, been little better than thrown away. We may add that this canal has become, under a late Act, the property of the Midland Great Western Railway Company of Ireland.

Shannon Navigation.—So early as 1767 a company was formed for improving the navigation of the Shannon, between Limerick and Killaloe, at the south end of Lough Derg. The distance is about 15 miles; it is called the Limerick Navigation, and is partly a canal, and partly a river navigation.

Exclusive of the above, a very large sum has been expended in improving the navigation of the Shannon between Portumna and Athlone; but it is still defective. During floods the channel is not discernible, from the great rise of the water, and the lowness of the river's banks; and in dry seasons the inconvenience of the opposite extreme is felt, there not being in many places more than two feet depth of water. Latterly, however, the navigation has been materially improved. The works throughout the river are now placed under the control of Commissioners appointed under the 2 and 3 Vict., c. 61.

River Barrow Navigation.—It has been attempted, partly by collateral cuts, and partly by deepening the river, to make the Barrow navigable for barges to Athy, where it is joined by a branch of the Grand Canal. On this undertaking 255,500*l.* have been expended. It has been but indifferently successful. "The very imperfect state of the navigation, the defectiveness of the works, *both as to execution and design* (those only projected by Mr. Chapman excepted), must consume in their maintenance and repair the greater portion of any revenue arising therefrom, leaving a mere nominal remuneration to the subscribers, who have made great sacrifices, although ill-directed, for the improvement of the country, and the amelioration of the working classes of the people."—(*Report by Messrs. Henry, Mullins, and M'Mahon.*)

River Boyne Navigation.—This, like the Barrow Navigation, consists partly of collateral cuts, and partly of excavations in the bed of the river.

The Newry Navigation extends from the sea lock at Fathom to Lough Neagh, a distance of 24 Irish, or $30\frac{3}{6}$ English miles, 12 of which are in the bed of the Upper Bann river. It was begun so early as 1739. Its highest elevation is 65 feet above the level of the sea, and 22 feet above Lough Neagh. It has been wholly executed at the public expense; and has cost, including the Tyrone and Mahery cut, connecting Coal Island with the Blackwater and Lough Neagh, 75,730*l.* in improvements and repairs only, since 1800. "The summit level is badly supplied in dry seasons, and the navigation in other respects is very defective, particularly that part of it which is carried in the bed of the river Bann; being subject to the impediments and interruptions inseparable from river navigation. The course of the river Bann is meandering and circuitous; its banks are low and marshy, topped even by ordinary floods, during which the channel ceases to be distinguishable, when the navigation is, in consequence, suspended. Some of these inconveniences might be obviated by erecting beacons in the line

of the channel, which, if properly marked, could be navigated in flood time, from the sluggishness of the current."—(*Report by Messrs. Henry, Mullins, and M'Mahon.*)

Lagan Navigation is partly a river, and partly a still-water navigation. It is completed from Lough Neagh to Belfast, and is about 22 Irish, or 28¼ English miles in length. The summit level is 112¼ feet above the sea. The highest level is badly supplied with water, the navigation is much interrupted in dry seasons, and is otherwise very defective. It is almost needless to add that the concern has been unprofitable.

5. SHIPPING.—Of the various instruments by which foreign commerce is carried on, ships, to an insular nation like Great Britain, are, perhaps, the most important of any. Owing to various circumstances, the investigation of which is foreign to the object of this work, the shipping of England did not become considerable till the reign of Elizabeth. It gradually increased under her successors, James I. and Charles I. At the Restoration, the British shipping cleared outwards amounted to 95,266 tons; but such was the increase of navigation during the reigns of Charles II. and James II., that, at the revolution, the British shipping cleared outwards amounted to 190,533 tons. The war, terminated by the treaty of Ryswick in 1697, checked this progress. But commerce and navigation have steadily advanced, with the exception of two short periods, during the war of 1739 and the American war, from the beginning of last century down to the present day.

The first really authentic account of the commercial navy of England was obtained in 1701-2, from returns to circular letters of the Commissioners of Customs, issued in January of that year. From these it appears that there then belonged to *all* the ports of England and Wales 3,281 vessels, measuring (or rather supposed to measure) 261,222 tons, and carrying 27,196 men. Of these there belonged to London 560 vessels, of the burden of 84,882 tons, having a crew of 10,065 men. Bristol was the next port to London, but it had only 2,359 seamen. — (*Macpherson's Annals of Commerce*, anno 1701.)

During the next 30 years, the shipping belonging to London was more than doubled; for, in 1732, it possessed 1,417 vessels, measuring 178,557 tons, and navigated by 21,797 men. The shipping of Liverpool and some other ports had, in the same interval, increased still more rapidly.—(*Macpherson*, anno 1732.)

It appears from a custom-house account, that, in 1760, there belonged to England and Wales 6,105 vessels, of the reputed burden of 433,922 tons; and to Scotland 976 vessels, of the reputed burden of 52,818 tons. But a note subjoined, by the assistant registrar-general of shipping, to this account, shows that it is very defective, both as to the number of vessels and their burden. So much so is this the case, that the real tonnage at the period referred to, is believed, on good grounds, to have exceeded by full 50 per cent. the amount stated above.—(*Macpherson*, anno 1760.)

The increase of commerce and shipping, since 1760, has been quite

extraordinary. On the 30th of September, 1800, the amount of the registered shipping belonging to the different ports of the empire was as under:—

Countries.	Vessels.	Tons.	Men.
England	12,198	1,466,632	105,037
Scotland	2,155	161,511	13,883
Ireland	1,003	54,262	5,057
Guernsey and Jersey .	130	10,647	1,412
Man	238	5,463	1,205
Colonies	2,161	157,364	12,047
Totals . . .	17,885	1,855,879	138,721

The subjoined account shows the amount of our mercantile navy in 1845, with its distribution among the different ports of the United Kingdom.

An Account of the Number and Tonnage of the Sailing and of the Steam Vessels Registered at each of the Ports of England, Scotland, and Ireland, the Isle of Man, and Channel Islands, distinguishing between those under and those above Fifty Tons Register, on the 31st December, 1845.

	Sailing Vessels.				Steam Vessels.			
	Under 50 Tons.		50 Tons and upwards.		Under 50 Tons.		50 Tons and upwards.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
England.								
London	692	22,421	2,151	559,862	86	2,749	177	45,706
Aberystwith . . .	95	2,957	63	4,867	. .	. .	. .	. .
Aldborough	21	680	15	1,118	1	10	. .	. .
Arundel	19	647	28	3,562	. .	. .	. .	. .
Barnstaple	52	1,834	34	2,713	. .	. .	. .	. .
Beaumaris	156	4,699	121	12,020	. .	. .	. .	. .
Pwllheli	74	2,282	77	6,846	. .	. .	1	70
Berwick	24	785	45	4,834	. .	. .	2	295
Bideford	64	1,981	89	10,635	. .	. .	. .	. .
Boston	117	4,228	52	3,471	2	51	1	124
Bridgewater . . .	48	1,797	53	5,317	1	15	. .	. .
Bridlington	17	497	18	2,570	. .	. .	. .	. .
Bridport	2	62	18	2,108	. .	. .	. .	. .
Bristol	113	3,349	159	34,794	8	218	18	3,687
Cardiff	13	374	46	5,101	3	86	. .	. .
Cardigan	161	4,747	101	9,012	. .	. .	. .	. .
Carlisle	14	472	25	1,733	. .	. .	3	607
Caernarvon	74	2,399	54	5,016	. .	. .	. .	. .
Chepstow	37	1,063	16	1,284	2	48	1	53
Chester	56	2,059	49	3,353	3	119	4	342
Chichester	40	918	11	987	. .	. .	. .	. .
Clay	67	1,181	41	3,957	1	12	. .	. .
Colchester	192	4,144	52	4,706	. .	. .	. .	. .
Cowes	91	2,180	73	5,941	. .	. .	1	53
Dartmouth	188	5,291	261	24,745	. .	. .	. .	. .
Deal	13	271	1	76	. .	. .	. .	. .
Dover	82	2,202	32	3,021	. .	. .	2	107
Exeter	53	1,615	128	15,658	1	17	. .	. .
Falmouth	48	1,284	71	6,712	. .	. .	. .	. .
Faversham	221	4,541	60	4,950	1	9	. .	. .
Fowey	34	1,227	85	7,619	. .	. .	. .	. .
Gainsborough . . .	7	292	6	471	1	49	1	56
Gloucester	240	6,725	75	8,260	1	30	1	91
Goole	210	8,762	232	18,518	1	16	4	278
Grimsby	32	733	6	688	. .	. .	. .	. .
Gweek	8	259	1	89	. .	. .	. .	. .
Hartlepool	3	112	59	13,105	2	39	. .	. .

An Account of the Number and Tonnage of Sailing and Steam Vessels, &c.—continued.

	Sailing Vessels.				Steam Vessels.			
	Under 50 Tons.		50 Tons and upwards.		Under 50 Tons.		50 Tons and upwards.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
England—*cont^d.*								
Harwich	74	2,101	54	4,761	. .	. .	. .	. .
Hull	157	5,840	292	60,444	5	139	20	3,887
Ipswich	48	1,316	127	12,902	2	60	1	94
Lancaster	43	1,487	56	5,029	1	42	1	134
Liverpool	123	3,997	1,288	376,811	13	535	42	5,665
Llanelly	38	1,138	35	4,014	1	26	. .	. .
Caermarthen	11	314	5	731	. .	. .	. .	. .
Lyme	3	91	8	654	. .	. .	. .	. .
Lynn	33	987	122	16,261	1	13	1	194
Maldon	109	2,787	45	4,205	. .	. .	. .	. .
Maryport	21	753	75	10,910	. .	. .	. .	. .
Milford	78	2,242	68	7,190	. .	. .	. .	. .
Newcastle	70	1,903	1,206	281,929	139	2,446	7	1,225
Newhaven	8	225	9	904	. .	. .	. .	. .
Newport	25	888	49	7,044	1	31	1	58
Padstow	65	2,274	36	4,103	. .	. .	. .	. .
Penzance	39	1,019	44	5,449	. .	. .	. .	. .
Plymouth	200	6,087	185	24,451	2	40	3	488
Poole	34	981	73	11,323	. .	. .	1	74
Portsmouth	185	3,410	15	9,308	2	72	1	54
Preston	71	2,501	23	2,506	3	85	10	1,701
Ramsgate	111	2,978	33	3,108	. .	. .	5	710
Rochester	270	8,004	66	7,153	3	104	. .	. .
Rye	46	1,116	20	1,907	. .	. .	. .	. .
Hastings	25	451	9	794	. .	. .	. .	. .
St. Ives	39	959	89	8,035	. .	. .	3	498
Scarborough	52	1,442	151	31,483	. .	. .	. .	. .
Scilly	18	443	37	3,920	. .	. .	. .	. .
Shoreham	45	885	44	6,291	. .	. .	. .	. .
Southampton	128	3,056	68	8,212	11	381	13	1,961
Southwold	10	320	21	1,521	. .	. .	. .	. .
Stockton	18	499	158	29,352	24	525	. .	. .
Sunderland	55	1,349	770	168,590	18	332	1	296
Swansea	76	2,327	94	13,713	6	107	3	274
Truro	10	376	27	2,149	1	18	. .	. .
Wells	36	721	33	2,472	1	18	. .	. .
Weymouth	16	428	59	6,369	. .	. .	1	57
Whitby	44	1,564	306	49,795	1	45	. .	. .
Whitehaven	19	561	254	41,292	1	37	3	604
Workington	1	46	70	11,328	. .	. .	. .	. .
Wisbeach	31	1,171	69	6,922	2	37	1	53
Woodbridge	17	544	28	1,978	. .	. .	. .	. .
Yarmouth	336	9,778	328	36,287	5	86	3	399
Totals	6,216	182,429	10,952	2,093,409	357	8,647	337	69,895
Scotland.								
Aberdeen	59	1,492	263	47,067	4	100	10	3,851
Peterhead	4	132	8	1,783	. .	. .	. .	. .
Ayr	12	444	27	3,994	. .	. .	. .	. .
Alloa	37	1,188	80	17,176	. .	. .	4	308
Arbroath	20	879	59	5,980	. .	. .	. .	. .
Banff	27	917	75	6,531	. .	. .	. .	. .
Borrowstoness	50	1,472	52	5,262	. .	. .	. .	. .
Campbeltown	23	501	1	515	. .	. .	3	324
Dumfries	94	2,946	51	5,681	. .	. .	1	160
Wigtown	44	1,454	22	2,054	. .	. .	1	146
Dundee	44	1,599	265	46,376	1	23	7	1,537
Glasgow	71	2,267	367	114,970	12	510	55	10,651
Grangemouth	7	263	36	5,243	2	35	. .	. .
Greenock	188	5,016	234	77,189	1	39	6	500
Inverness	144	3,737	80	6,481	1	40	. .	. .
Irvine	37	1,004	82	14,664	. .	. .	1	56
Kirkcaldy	33	1,192	46	8,752	. .	. .	3	207
Anstruther	49	1,472	17	1,619	. .	. .	1	57
Kirkwall	28	645	36	4,175	. .	. .	. .	. .
Leith	100	2,750	118	19,508	8	199	9	1,972
Dunbar	12	462	10	829	. .	. .	. .	. .

An Account of the Number and Tonnage of Sailing and Steam Vessels, &c. — continued.

	Sailing Vessels.				Steam Vessels.			
	Under 50 Tons.		50 Tons and upwards.		Under 50 Tons.		50 Tons and upwards.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
Scotland—*contd.*								
Lerwick	66	1,500	6	526	..	..	..	..
Montrose	18	721	104	14,519	..	..	2	177
Perth	12	356	77	8,472	1	19	..	..
Port Glasgow	27	979	36	11,407	..	..	5	355
Stornoway	44	1,219	13	1,806	..	..	1	263
Stranraer	25	716	8	1,009	..	..	..	..
Wick	19	791	14	1,027	..	..	..	..
Totals	1,294	38,114	2,187	434,615	30	965	109	20,564
Ireland.								
Baltimore	101	2,427	9	1,078	..	..	..	..
Belfast	117	3,873	269	49,688	1	16	5	882
Coleraine	11	234	3	697	..	..	1	185
Cork	166	4,035	218	35,343	3	127	11	2,775
Drogheda	7	229	34	3,585	..	..	5	1,297
Dublin	260	7,612	121	20,954	3	122	32	8,532
Dundalk	7	227	13	1,151	..	..	3	804
Galway	6	104	12	2,654	..	..	..	..
Limerick	43	1,261	71	13,854	..	..	..	..
Londonderry	11	258	21	6,111	..	..	7	1,855
Newry	160	4,787	60	7,111	..	..	1	203
Ross	3	91	16	5,453	..	..	1	63
Sligo	7	183	18	2,991	1	44	..	..
Tralee	2	46	..	..	..	..	..	..
Waterford	65	1,611	121	21,438	..	..	4	936
Westport	4	89	1	108	..	..	..	..
Wexford	34	1,245	69	6,302	..	..	1	228
Totals	1,004	28,312	1,056	178,518	8	309	71	17,760
Guernsey	26	793	94	12,105	..	..	..	..
Jersey	136	920	175	26,731	1	39	..	..
Man	308	6,720	24	1,732	..	..	4	603
ABSTRACT.								
England	6,216	182,429	10,952	2,093,409	357	8,647	337	69,895
Scotland	1,294	38,114	2,187	434,615	30	965	109	20,564
Ireland	1,004	28,312	1,056	178,518	8	309	71	17,760
Channel Islands and Man	470	8,433	293	40,568	1	39	4	603
Totals	8,984	257,288	14,488	2,747,110	396	9,960	521	108,822

Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several parts of the British Empire, on the 31st of December, 1843, 1844, and 1845, respectively.

	1843			1844			1845		
	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.
England	17,473	2,277,288	126,845	17,576	2,302,567	127,615	17,862	2,354,330	133,931
Scotland	3,677	481,660	30,740	3,644	482,986	30,186	3,620	494,258	30,776
Ireland	2,002	198,469	12,222	2,033	204,613	12,361	2,139	224,899	13,054
Isle of Guernsey	125	14,572	1,051	120	13,277	974	120	12,698	939
Isle of Jersey	295	27,003	2,503	311	28,078	2,717	311	27,690	2,623
Isle of Man	326	8,569	1,790	332	9,871	1,838	336	9,055	1,843
British Plantations	7,085	560,806	38,822	7,304	592,039	40,659	7,429	590,881	41,734
Total	30,983	3,568,367	213,977	31,320	3,637,231	216,350	31,817	3,714,061	224,900

Account of the Shipping employed in the Trade of the United Kingdom in 1844; *exhibiting the Number and Tonnage of Vessels that entered Inwards and cleared Outwards (including their repeated Voyages), with the Number of their Crews, separating British from Foreign Vessels, and distinguishing the Trade with each Country.*

COUNTRIES.	INWARDS.						OUTWARDS.					
	British.			Foreign.			British,			Foreign.		
	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.
Europe, viz.:—												
Russia	1,799	351,215	15,361	212	53,667	2,417	1,310	261,780	11,560	216	48,775	2,212
Sweden	78	12,806	581	344	59,835	2,941	72	13,366	598	239	28,841	1,676
Norway	16	1,315	89	779	125,011	6,339	13	1,230	83	757	129,990	6,370
Denmark	59	7,423	350	1,667	123,674	8,250	476	78,753	3,699	2,326	212,621	12,410
Prussia	786	108,626	5,047	1,286	220,202	10,539	584	75,226	3,920	1,039	198,016	8,693
Germany	900	181,322	9,845	1,123	113,209	6,924	902	180,815	9,478	1,191	98,297	6,269
Holland	1,239	173,247	9,796	843	80,217	5,226	1,154	157,708	9,058	742	60,979	4,287
Belgium	656	76,690	7,772	484	72,207	4,524	628	65,829	6,396	397	54,847	3,639
France	4,177	463,548	35,792	1,988	163,869	14,777	4,226	494,762	36,990	1,651	127,096	12,956
Portugal, Proper	448	43,271	2,650	27	2,746	233	381	38,598	2,544	59	7,468	484
,, Azores	218	17,458	1,254	5	444	44	186	16,076	1,177	3	295	22
,, Madeira	24	5,196	348	1	123	10	36	7,869	523	..	..	..
Spain and Balearic Islands	447	45,994	2,669	87	9,512	773	582	84,424	4,577	142	21,429	1,086
,, Canaries	6	590	34	5	487	50	6	793	54	7	741	70
Gibraltar	84	19,856	1,554	1	218	13	256	44,118	3,534	4	1,233	50
Italy and Italian Islands	497	76,602	3,819	56	14,866	697	535	85,411	4,445	122	25,337	1,249
Malta	39	5,365	282	..	..	..	143	28,101	1,364	67	12,349	638
Ionian Islands	51	6,250	356	..	..	..	68	9,418	536	1	150	8
Turkey and Continental Greece	177	29,708	1,717	14	2,843	141	237	44,571	2,537	37	10,285	453
Morea and Greek Islands	51	7,339	387	..	..	..	23	3,812	200	5	252	11
Africa, viz.:—												
Egypt	115	31,354	1,652	..	..	..	91	25,859	1,561	14	3,150	147
Tripoli, Barbary, and Morocco	47	6,155	330	..	..	..	58	12,605	545	6	1,935	75
Senegal and Coast from Morocco to the River Gambia	1	56	5	..	..	..	..	..	..	1	85	6
Sierra Leone and Coast from the Gambia to the Mesurado	43	9,686	475	..	..	..	49	11,563	594	..	..	..
Windward Coast (Africa)	1	190	14	..	..	..	1	240	11	..	..	..
Cape Coast Castle	31	4,864	291	..	..	..	35	6,424	406	..	..	..
Coast from Rio Volta to Cape of Good Hope	269	78,162	4,274	..	..	..	579	165,345	9,432	1	310	11

Cape of Good Hope	35	7,269	379	..	..	..	289	76,249	4,272	..	..	..
Eastern Coast	15	3,024	188	..	..	..	14	2,515	165	1	187	12
Ports in the Red Sea	..	..	..	..	..	..	2	620	30	..	..	..
Madagascar	..	..	..	..	..	..	4	1,061	54	..	..	..
Bourbon	..	..	..	..	..	..	2	571	36	..	..	..
Mauritius	82	23,593	1,115	..	..	..	73	21,206	1,106	..	..	..
Cape Verd Islands	1	84	8	..	..	..	9	1,514	93	1	161	11
St. Helena and Ascension	1	196	9	..	..	..	26	6,318	339	..	..	..
Asia, viz. :—												
Arabia	..	..	..	..	..	..	22	8,817	437	..	..	..
East India Company's Territories, Singapore, and Ceylon	440	197,979	9,634	..	..	..	469	219,640	12,127	1	710	24
Java	16	5,597	220	1	387	22	21	7,273	352	4	1,477	90
Philippine Islands	21	7,891	351	1	250	12	4	1,347	66	1	589	24
Other Islands of the Indian Seas	..	..	..	..	..	..	2	1,842	83	..	..	..
China	104	45,605	2,174	..	..	..	78	32,534	1,691	5	2,110	98
Japan	..	..	..	..	..	..	1	180	12	..	..	..
New Holland	103	34,779	1,698	..	..	..	107	43,037	2,265	..	..	..
New Zealand	6	1,348	77	..	..	..	6	2,212	105	..	..	..
South Sea Islands	2	327	19	..	..	..	6	2,113	95	..	..	..
America, viz. :—												
British Northern Colonies	2,284	789,410	30,222	..	..	..	2,060	922,299	29,333	2	882	27
,, West Indies	714	195,440	10,716	..	..	..	822	231,667	12,949	..	..	..
Hayti	36	6,810	355	..	..	..	32	5,169	304	4	940	49
Cuba and other Foreign West Indies	135	39,993	2,010	41	10,243	470	137	88,633	1,561	92	22,494	1,121
United States	373	206,183	8,170	575	338,737	11,157	428	238,889	9,229	621	355,344	12,117
Mexico	70	25,011	1,641	2	408	22	46	15,222	1,081	1	104	8
Columbia	72	13,698	633	2	334	22	39	9,521	524	6	1,180	64
Brazil	200	45,649	2,333	14	2,589	128	255	60,521	3,143	47	12,574	559
Rio de la Plata	63	13,134	621	..	..	..	42	10,177	500	3	389	26
Chili	100	29,343	1,421	2	367	31	100	25,915	1,370	3	637	49
Peru	52	16,279	747	1	407	20	39	9,782	532	..	..	..
Falkland Isles	..	..	..	..	..	..	1	208	13	..	..	..
Whale Fisheries	49	14,781	1,940	..	..	..	49	14,513	2,019	..	..	..
Guernsey, Jersey, and Man	2,454	159,752	13,303	47	5,286	309	1,972	126,051	11,216	1	87	6
Total	19,687	3,647,463	195,728	9,608	1,402,138	76,091	19,788	3,852,822	212,924	9,816	1,444,346	77,109

Statement of the Number, Tonnage, and Crews of Vessels (including their repeated Voyages), that Entered Inwards and Cleared Outwards at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1845.

	Years.	British and Irish Vessels.			Foreign Vessels.			Total.		
		Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.	Vessels.	Tons.	Crews.
Inwards .	1842	18,987	3,294,725	178,884	8,054	1,205,303	65,952	27,041	4,500,028	244,836
	1843	19,500	3,545,346	191,826	8,541	1,301,950	69,791	28,041	4,847,296	261,117
	1844	19,687	3,647,463	195,728	9,608	1,402,138	76,091	29,295	5,049,601	271,819
Outwards .	1842	18,785	3,375,270	186,816	8,375	1,252,176	68,493	27,160	4,627,446	255,309
	1843	19,334	3,635,833	197,070	8,709	1,341,433	71,718	28,043	4,977,266	269,694
	1844	19,788	3,852,822	212,924	9,816	1,444,846	77,109	29,604	5,297,168	290,033

Account of the Number of Vessels and of their Tonnage, built and registered in, and of those belonging to the different Ports of the British Empire, from 1820 *to* 1845, *both inclusive; specifying the Number of their Crews, and distinguishing between those of the British Islands and Possessions in Europe and those of the Colonies.*

Years.	Vessels built and registered.						Vessels and their Crews belonging to the British Empire.						
	United Kingdom and Possessions in Europe.		Colonies.		Total.		United Kingdom and Possessions in Europe.		Colonies.		Total.		Crews.
	Ships	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	
1820	635	69,142	248	16,440	883	84,582	21,909	2,439,029	3,405	209,364	25,374	2,648,593	174,314
1821	537	59,182	275	15,365	872	74,547	21,652	2,355,853	3,384	204,350	25,036	2,560,203	169,179
1822	571	51,533	209	15,611	780	64,144	21,238	2,315,403	3,404	203,641	24,642	2,519,044	166,333
1823	604	63,788	243	22,240	847	86,028	21,042	2,302,867	3,500	203,893	24,542	2,506,760	165,474
1824	837	93,219	342	50,522	1,179	143,741	21,220	2,340,314	3,496	211,273	24,776	2,550,587	168,637
1825	1,003	124,029	536	80,805	1,539	204,924	20,701	2,320,807	3,579	214,875	24,280	2,533,682	166,183
1826	1,151	119,066	568	86,534	1,719	205,640	20,968	2,411,461	3,657	224,183	24,625	2,635,644	167,636
1827	911	95,038	529	68,903	1,440	163,946	19,524	2,181,138	3,675	279,362	23,199	2,460,500	151,415
1828	857	90,040	464	50,644	1,321	140,913	19,646	2,193,360	4,449	324,891	24,095	2,518,191	155,576
1829	734	77,685	416	39,257	1,150	116,872	19,110	2,168,159	4,343	317,041	23,453	2,517,000	154,908
1830	750	77,411	367	32,719	1,117	110,130	19,174	2,201,592	4,547	330,227	24,721	2,531,819	154,812
1831	760	85,707	376	34,290	1,136	119,997	19,450	2,224,356	4,792	357,608	24,242	2,581,964	158,428
1832	759	92,915	386	43,397	1,145	136,312	19,664	2,261,860	4,771	356,208	24,435	2,618,061	161,734
1833	723	92,171	298	32,878	1,026	125,049	19,689	2,271,301	4,696	363,276	24,385	2,634,577	164,000
1834	806	102,710	354	45,411	1,160	148,121	19,975	2,312,355	5,080	403,745	25,055	2,716,100	168,061
1835	916	121,722	455	63,220	1,371	184,952	20,300	2,360,303	5,211	423,458	25,511	2,783,761	171,020
1836	709	89,636	441	66,604	1,150	156,240	20,388	2,349,749	5,432	442,897	25,820	2,792,646	170,637
1837	1,003	135,922	510	71,306	1,515	207,228	20,536	2,333,321	5,501	457,497	26,037	2,791,018	173,566
1838	1,147	161,459	606	79,947	1,753	241,406	20,912	2,420,750	5,697	468,842	26,609	2,889,591	178,583
1839	1,278	186,903	368	47,893	1,646	234,801	21,670	2,570,635	6,025	497,798	27,745	3,068,433	191,293
1840	1,448	220,064	771	43,288	2,219	263,352	22,654	2,760,262	6,808	543,276	29,462	3,311,538	201,340
1841	1,192	168,309	668	32,857	1,860	201,166	23,461	2,935,309	6,591	577,011	30,052	3,512,480	210,193
1842	971	133,275	402	55,148	1,373	188,423	23,954	3,041,420	6,861	578,436	30,815	3,619,856	181,047
1843	736	85,273	494	55,904	1,230	141,277	23,898	3,007,581	7,085	580,806	30,983	3,588,387	213,977
1844	731	96,876	525	69,857	1,256	166,733	24,016	3,044,392	7,304	592,839	31,320	3,637,231	216,350
1845	890	124,919	508	73,237	1,398	198,156	24,388	3,123,180	7,429	590,881	31,817	3,714,061	224,500

N.B. The falling off in the number of ships in 1827 is apparent only. The numbers returned in the previous years were those that appeared on the registers. But a ship, when once placed on them, remained till evidence was produced of her having been sold to foreigners, lost, or otherwise destroyed; so that a good many ships were at all times on the register, which, in fact, did not exist. The Registry Act passed in 1826 obliged all owners of ships to register them of new when, of course, the names of those that had ceased to exist disappeared from the books.

Ship-building.—The cost, including the outfit, of the ships built in the United Kingdom in 1845, may, we believe, be taken, at a rough average, at from 10*l.* to 12*l.* per ton, or 11*l.* at a medium, making their total value 1,374,109*l.* London, Sunderland, Newcastle, Liverpool, Hull, Yarmouth, &c., are the principal building ports. The business has increased with extraordinary rapidity at Sunderland: so much so that while only 60 ships, of the burden of 7,560 tons, were built in that port in 1820, no fewer than 302 ships, of the burden of 87,023 tons, were built in it in 1840. Ships built at London, Liverpool, Bristol, and other western ports, are, however, in higher estimation than those built in the Tyne and the Wear, at least for those branches of trade where the best ships are required. Within the last few years, a great many steam vessels have been built in the Clyde.

Classification of Ships.—Until very recently ships, how much soever they might differ in other respects, were classified at Lloyd's

with reference solely to their age and the place where they were built. Thus, supposing two ships were launched about the same time in the Thames, the Wear, or anywhere else, they were enrolled together in the *highest* class in Lloyd's Register, and stood there for a certain number of years, how different soever they might have originally been, or how different soever they might afterwards become! And underwriters and merchants, seeing them thus standing together, and having no other test of goodness to which to refer, insured and employed the one on the same terms as the other! It is unnecessary to dwell on the preposterous absurdity of such a system. Practically it operated as a high bounty on the building of defective, or what are called *slop-built*, ships; and there cannot be a doubt that it tended materially to depreciate the character of our mercantile marine, and to multiply shipwrecks, which have increased to a frightful extent. We are, therefore, glad to have to state that a new system of classification is now in the course of being introduced, by which the place of ships on the register will be made to depend, not on their age, or the place where they were built, but upon their actual condition.—(For full details as to the old and new system of classification, see *Commercial Dictionary*, Art. SHIPS.)

Numbers, &c., of Persons engaged in Manufactures and Trade in 1841.

We have already given detailed estimates, formed from the best accessible materials, of the number of people employed in the principal manufactures and trades. The following tables embrace most part of the information to be found in the late census in reference to that subject. We have already stated our reasons for thinking that the number of people employed in agriculture is underrated, and that of those employed in manufactures proportionally overrated in these tables.

II. *Abstract distinguishing the Numbers (with the Age and Sex) of Persons engaged in Commerce and Trade, and those engaged in Manufacture in Great Britain in* 1841.

	Commerce and Trade.					Manufacture.				
	Males.		Females.		Total.	Males.		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards	Under 20 Years of Age.		20 Years of Age and upwards	Under 20 Years of Age.	20 Years of Age and upwards	Under 20 Years of Age.	
England & Wales, and Isles in the British Seas	1,282,129	190,439	201,860	38,272	1,712,699	479,774	130,443	191,963	121,911	924,096
Scotland	177,835	37,075	35,295	6,566	256,771	99,672	31,983	53,894	31,261	216,810
Great Britain	1,459,963	227,514	237,155	44,838	1,969,470	579,446	162,426	245,862	153,172	1,140,906

	Commerce and Trade, and Manufacture.				
	Males		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	
England and Wales, and Isles in the British Seas	1,761,902	320,882	393,823	160,183	2,636,795
Scotland	277,507	69,058	89,189	37,827	473,581
Great Britain	2,039,409	389,940	483,017	198,010	3,110,376

I. *Account of the Persons engaged in Commerce, Trade, and Manufacture, in the different Counties of England, Wales, and Scotland. in* 1841, *distinguishing between Males and Females, and between those of, and above, and below* 20 *years of age.*

Counties.	Males.		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	
ENGLAND.					
Bedford	7,285	972	4,364	1,692	14,333
Berks	12,853	1,445	1,859	342	16,479
Bucks	11,183	1,422	5,340	1,744	19,684
Cambridge	11,724	1,201	1,539	280	14,744
Chester	49,080	14,088	17,805	12,341	93,314
Cornwall	20,980	4,460	4,638	1,645	31,723
Cumberland	16,969	3,659	4,111	1,314	26,054
Derby	31,381	6,755	8,150	5,340	51,675
Devon	45,212	8,891	11,640	3,727	69,470
Dorset	13,650	2,107	2,821	891	19,459
Durham	28,791	7,815	8,059	615	45,179
Essex	24,446	2,648	3,460	1,231	32,120
Gloucester	45,132	5,917	11,111	2,856	65,016
Hereford	8,808	1,184	1,095	183	11,265
Hertford	11,904	1,780	4,521	1,976	20,181
Huntingdon	4,204	543	509	109	5,365
Kent	44,184	4,974	5,722	808	55,683
Lancaster	257,537	66,968	90,370	52,894	467,734
Leicester	28,064	4,483	6,681	2,926	41,554
Lincoln	26,738	4,503	3,803	544	35,140
Middlesex	230,123	29,105	49,703	8,548	315,259
Monmouth	13,048	2,253	1,218	292	17,641
Norfolk	35,052	4,636	6,574	1,759	48,021
Northampton	18,719	2,903	3,715	1,352	26,689
Northumberland	27,451	5,769	3,557	521	37,298
Nottingham	33,781	5,885	8,759	2,948	51,373
Oxford	13,300	1,604	2,031	434	17,369
Rutland	1,541	192	179	43	1,955
Salop	21,186	3,923	2,576	780	28,485
Somerset	37,614	5,955	9,905	3,157	56,331
Southampton	23,901	3,506	4,274	885	37,466
Stafford	64,203	15,412	10,141	5,825	95,531
Suffolk	23,940	3,389	3,225	1,019	31,572
Surrey	72,263	7,876	12,489	1,761	94,389
Sussex	22,746	2,783	2,877	723	29,134
Warwick	59,479	10,718	14,653	4,102	87,947
Westmoreland	5,259	1,152	1,067	294	7,771
Wilts	19,328	2,923	4,562	1,219	28,027
Worcester	26,725	4,650	5,544	2,108	39,027
York, East Riding	18,334	3,219	2,894	440	25,297
— City & Ainsty	5,182	801	771	140	6,994
— North Riding	17,663	3,335	2,975	352	23,025
— West Riding	179,606	41,889	37,069	25,882	284,446
Total England	1,682,044	307,957	382,146	157,592	2,529,073
WALES.					
Anglesey	3,068	392	496	124	4,100
Brecon	4,450	772	473	94	5,789
Cardigan	4,339	536	691	91	5,657
Caermarthen	7,045	1,026	881	118	9,070
Caernarvon	4,942	735	544	67	6,278
Denbigh	6,366	1,097	736	135	8,334
Flint	4,939	803	486	159	6,387
Glamorgan	17,810	3,416	2,103	610	23,939
Merioneth	2,406	279	491	53	3,176
Montgomery	5,351	815	1,164	220	7,550

Counties.	Males.		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	
WALES—*continued.*					
Pembroke	5,794	991	943	155	7,883
Radnor	1,554	215	170	31	1,970
Total Wales	69,844	11,077	9,115	1,857	90,133
Channel Islands and Man	11,774	2,448	2,567	800	17,589
SCOTLAND.					
Aberdeen	16,380	3,637	5,783	2,176	27,976
Argyll	4,973	455	709	57	6,194
Ayr	18,547	4,709	6,442	2,479	33,197
Banff	3,119	455	734	99	4,406
Berwick	2,515	557	413	43	3,708
Bute	1,174	213	247	114	1,848
Caithness	2,393	357	406	43	3,199
Clackmannan	2,149	355	279	161	3,144
Dumbarton	5,740	2,331	1,644	1,702	11,417
Dumfries	6,304	1,396	1,301	330	9,299
Edinburgh	28,197	7,429	7,222	1,530	44,478
Elgin or Moray	2,686	472	378	11	3,547
Fife	17,283	5,004	5,023	2,781	30,091
Forfar	23,783	6,130	10,348	4,458	44,709
Haddington	2,626	515	287	16	3,364
Inverness	4,487	553	741	58	5,847
Kincardine	2,539	464	535	123	4,061
Kinross	1,088	293	320	97	1,798
Kirkcudbright (Stewartry)	2,818	493	638	81	4,025
Lanark	63,107	16,795	23,778	12,451	116,121
Linlithgow	2,573	553	744	168	4,038
Nairn	617	102	60	3	782
Orkney & Shetland	3,140	304	1,854	329	4,127
Peebles	751	135	108	10	1,004
Perth	14,293	3,217	4,353	1,547	23,409
Renfrew	22,481	6,817	9,109	5,703	44,117
Ross and Cromarty	3,690	306	399	16	4,411
Roxburgh	4,871	1,391	864	320	7,446
Selkirk	846	274	155	97	1,373
Stirling	9,510	2,619	2,109	711	14,949
Sutherland	1,012	86	63	3	1,165
Wigtown	2,464	884	588	75	3,511
Total Scotland	277,507	69,056	89,189	37,827	473,581

ABSTRACT.

England & Wales	1,750,128	318,434	391,261	159,366	2,619,206
Scotland	277,507	69,056	89,189	37,827	473,581
Channel Islands and Man	11,774	2,448	2,567	800	17,589
Grand Totals Great Britain	2,039,409	389,940	483,017	198,010	3,110,376

In Ireland out of a total population of 8,173,966, as returned by the census of 1841, 1,953,683 were engaged in and dependent upon manufactures and trade. At the same time 5,406,743 were engaged in and dependent upon agriculture, and 813,535 upon other professions and pursuits.

PART IV.

CONSTITUTION AND GOVERNMENT, CIVIL AND RELIGIOUS, OF THE BRITISH EMPIRE.

CHAPTER I.—Sketch of the Rise and Progress of the English Constitution.

The functions of every civil government are of a twofold description, internal and external. In the performance of the first, it makes laws for those subject to its authority, provides for the observance of these laws, and conducts the public business of the state. In the performance of the second it represents the community, as an aggregate body, in its intercourse with other communities, and acts as its authorized organ of communication in all international transactions. The means by, and the mode in, which these objects are attained determine the character or form of government. In the English, which is usually styled a mixed form, the legislative power is kept distinct from the executive, the latter being vested in the King alone; while the legislative power is vested in the great national council termed the Parliament, composed of the King and the three estates of the realm, that is, of the King, and the Lords Spiritual, the Lords Temporal, and the Commons.* The King is supreme; his office is hereditary; and all new laws purport to be enacted by him, with the consent of the two Houses. The Lords Spiritual and Temporal consist of the prelates and peers of the realm. The Commons consist of representatives chosen by that portion of the people invested with the elective franchise, partly for counties, and partly for cities and boroughs, at the commencement of every parliament, and retaining their seats for that parliament only. The Lords form one House, and sit by themselves; the Commons form another, in which they also sit by themselves. The King sits with the Lords; but he occupies his seat only on formal occasions, as when he opens the session, or gives his assent to Bills which have passed the two Houses. According to established practice, he cannot be present at any deliberation, nor is he supposed to be acquainted with what passes, either in the Lords or in the Commons, until it be officially communicated to him. No law can be made, and no tax imposed, without the assent of Parliament, that is, of the King and of the Houses of Lords and Commons; this assent being given by each separately. The King has no deliberative, but merely a negative voice; and no measure can originate with him, unless it be an act of grace. The two Houses may indiscriminately originate all measures, with the exception of Bills affecting the rights of the peerage, or containing any grant of money; the former of which must be always introduced in the House of Lords, and the latter in the House of Commons; and in neither case is any Bill so introduced into one House permitted to undergo any alteration in the other. Parliament is called together by the King, who may prorogue or dissolve it at pleasure. He must, however, call it together "once, at least, in every year, or

* The King is not one of the three estates, see *Hale's Jurisdiction of Lords*, p. 10.

oftener, if need be." A prorogation is the continuation of Parliament from one session to another; a dissolution is its civil death, which happens by law at the end of every seven years from its commencement, unless it be previously dissolved, (as is uniformly the case,) by royal proclamation. The powers of the King, as laid down by lawyers and constitutional writers, are of the most extensive description. The whole administrative and executive duties of government are performed by him or in his name. He is held to be not the chief only but the sole magistrate of the nation, all the others acting by his commission and in subordination to his authority. The powers of all courts of justice, and of their various functionaries and officers, such as judges, sheriffs, justices of the peace, constables, &c., are derived, mediately or immediately, from him. He is the grand conservator of the public peace, suppressing, by the agency of his officers, all disturbances, and preserving public tranquillity, every violation of which is, consequently, termed a breach of the king's peace. He makes war and peace, negotiates treaties with foreign states, sends ambassadors abroad, and receives them at home. The armed force of the nation, military and civil, is at his sole disposal. He is the fountain of honour and dignity; and it is a fundamental maxim that he can do no wrong, and is responsible to none.—(See *post*, Chap. V. *On the Powers and Duties of the King.*)

But, though in theory the regal powers are all but unlimited, in practice they are confined within comparatively narrow limits. The King, as such, can do nothing directly, but must, in all cases, operate indirectly through the intervention of his ministers; and though he is not, they are responsible, for every act of the executive government. If the King's ministers do not command the support of both Houses of Parliament, or, at all events, of the Commons, they must resign, and the sovereign has no resource but to choose others, which, though less agreeable to himself, may be more acceptable to the popular representatives. His ministers must be chosen, and his measures framed so as to harmonize with the views and prejudices of the latter. The Commons might, in an extreme case, withhold all supplies till an objectionable or unpopular minister had been dismissed. But such cases no longer occur; the sovereign always selecting his servants from the leading members of the party which happens to have at the time the ascendancy in parliament.*

In tracing the history of the English Constitution, we are naturally carried back to our continental ancestors, in whose rude institutions, as described by Cæsar and Tacitus 1800 years ago, ingenious inquirers have thought they could discern the germs of those principles of civil and political liberty which time and a happy concurrence of circumstances have gradually matured into the government we now enjoy. But it will be sufficient, for our purpose, to commence with the Saxons, who established themselves in England in the fifth and sixth centuries. A succession of invasions from the northern shores of the Germanic continent was followed by the establishment of several independent states,

* Those who wish to learn the circumstances that gave rise to the wide difference between the theoretical and practical powers of the sovereign may consult the learned work of Mr. Allen, *On the Rise and Growth of the Royal Prerogative*, 8vo. London, 1830.

forming what is usually but inaccurately called the Saxon Heptarchy. In the reign of Egbert, about 827 or 828, these several states were united into one; and from this æra the kingdom of England dates its existence among nations. The precise nature of the government established among the Saxons, between the time of Egbert and the Norman conquest, partially modified by the accession of a Danish dynasty towards the close of that period, cannot be ascertained with certainty. But it may be confidently affirmed that the system of popular control exercised by our Saxon ancestors over the royal authority, through the medium of an independent council, had many features in common with that which has generally prevailed since the Conquest. The *Wittenagemote*, or council of wise men, was at once a legislative assembly and a supreme court of judicature. It made laws, imposed taxes, tried great criminals, decided questions of property, advised the king on the administration of his government, and occasionally interfered even in the appointment of his ministers. The name, and, perhaps, the composition, of this assembly were changed under the Norman dynasty; but its functions were not materially altered. The constitution of the wittenagemote has been the subject of much dispute; no doubt, however, it comprised the principal men of the country. Earls, bishops, and many of the thanes, (dignities which involved personal influence and large territorial possessions,) had seats in it; but whether any representatives of towns or other bodies were associated with them is very doubtful; not because the practice of representing districts or collections of people by delegates was unknown to the Saxons, but because no distinct evidence has been produced to show that such was the case.* There are, however, good grounds for believing that, previously to the Conquest, some cities were places of strength and importance, occupied by a martial population, and accustomed to act a leading part in the political revolutions of the state: more than one monarch owed his crown to the election of the burghers of London; and Exeter is supposed to have been a free city before the crown of England had any recognised existence.

The Norman Conquest in 1066 is usually referred to as the commencement of a new system of government, including the establishment of the feudal tenure, with its various incidents.

The Normans, as well as the Saxons, were of Teutonic extraction, though from parts considerably further to the north. Their settlement in Normandy was effected about the year 912. It need, therefore, occasion no surprise, should several things be found in common in the institutions of two people descended from the same stock; and it has been shown that the feudal system prevailed, in part at least, in this country before the Conquest. But that system, as modelled under the Norman princes, appears to have been framed in imitation of that which had grown up on the Continent, subsequently to the occupation of England by the Saxons. It was essentially a military institution, and was especially intended to provide for the security of the conquerors, who had overrun the different provinces of the Roman empire,

* The speculations of a learned author on the connection between the parliament and the Anglo-Saxon leet, may be seen in the *Edinburgh Review*, No. 72 Art. 1. See also *Palgrave's Commonwealth.*

in their newly acquired possessions. In this view the entire lands of a province, or country, were supposed to belong to the chief or king of the conquering tribe, and were assigned, or supposed to be assigned, by him to their occupiers, in consideration of their performing certain services of a military nature. To the performance of these every one bound himself by an oath, taken on being admitted into possession of his fief or estate. If he failed in his duties, his lands were forfeited, and reverted to the crown. The king was termed lord paramount, his tenants barons, crown vassals, and tenants *in capite*, and their lands feuds or fiefs. The king's immediate tenants again divided their lands to other subtenants, who entered into similar engagements with their lords, and held of them upon the same terms by which they themselves held of the king. The obligations between the lord and vassal were mutual; it being as much the duty of the lord to protect his vassal, as of the vassal to do fealty and service to his lord. The services to be performed by the military tenant were not left to the lord's caprice; every thing was fixed and ascertained; and nothing could be legally required from the vassal, without his own consent, beyond the duties specified in the terms of his tenure. A system of this sort, though liable to the greatest abuse, combined, in its principle, subordination with independence; and was not ill-suited to the period when it was introduced. It provided for the defence and security of the State by converting all landlords and their vassals into a permanent militia, paid and maintained by the lands they held. Courts were held by the feudal lords on their fiefs or manors, at which their tenants attended, and there all disputes and complaints respecting the lands of the manor, and other questions litigated between tenant and tenant were determined. The by-laws and local usages within the manor or district were declared and enforced at these courts, and matters of common concern were regulated by common consent. The lord presided either in person, or by his seneschal or steward; the tenants and free suitors of the manor being the peers, or *pares Curiæ*, who adjudicated both upon law and fact. Inasmuch, however, as the proceedings in these courts, from the overpowering influence of the lords, would be very apt occasionally to degenerate into injustice, their awards were not final; and appeals, on complaint of a defect of justice, might be made from them by writs of right to the county courts, established in the Anglo-Saxon period. Suits, also, were frequently transferred from manor courts to county courts, on complaint of the vassals that their lords demanded a greater amount of service than was due under their tenures. And in some instances cases were brought from the county courts to the King's court, or *Aula Regis*, to be decided by his justiciaries.* But the vice of the system was, that when the courts did justice, which was not always the case, to those who appealed to them, the lords were mostly too powerful to pay much or any attention to their decisions.

Under the Norman dynasty, the Great Council, or Court of Parliament, has been supposed by some constitutional writers to have been originally a court, similar in its constitution to the baronial courts now referred to, convoked by the king as paramount feudal lord, and attended

* *Lyttelton's Hist., Henry II.*, v. 313, 8vo. ed.

of right by his immediate tenants, who were termed barons; the collective body of such tenants forming the baronage or peerage of the realm, from which the present House of Lords derives its descent and its judicial character.

Without stopping to investigate the correctness of this view of the rise of the legislature, it may be safely affirmed, that whatever modifications the parliament may have undergone under the influence of feudal institutions, its origin is not purely feudal, and that it derives some portion of its popular and representative character from its early connexion with the county courts of the Anglo-Saxon period. It is a remark of Hume, sanctioned by Hallam, "that the institution of county courts has had greater effects on the government of England than have yet been accurately pointed out by historians, or traced by antiquaries."

In the further prosecution of our design, we shall, for greater convenience, divide this sketch into three parts: the first, comprising the development of the constitution, will embrace the period from the Conquest to the close of the wars of the Houses of York and Lancaster, at the accession of Henry VII., when the government seems to have nearly attained its present form; the second will embrace the interval between that epoch and the Revolution; and the last will bring us thence down to the present time.

I. The Conqueror and the first princes of the Norman line appear to have met with little opposition, in carrying on the government, from the interference of the Great Council. The assent of the latter was required to pass laws; but the care of the administration being left, without check of any kind, to the monarch, who was frequently involved in war and almost always necessitous, abuses of every sort, including a venal and corrupt administration of justice, were multiplied on all hands. Occasionally, however, the nobles and the community in general were awakened to a sense of these abuses; and charters were obtained from Henry I., and other sovereigns, modifying some of the hardships growing out of the feudal system, and promising to revive the old laws of Edward the Confessor. "What these laws were, or more properly, perhaps, these customs subsisting in the Confessor's age, was not very distinctly understood. So far, however, was clear, that the rigorous feudal servitudes, the weighty tributes upon poorer freemen, had never prevailed before the Conquest. In claiming the laws of Edward the Confessor, our ancestors meant but the redress of grievances, which tradition told them had not always existed."—(Hallam, *Middle Ages*, iii., 444.)

The reign of Henry II., the first sovereign of the House of Plantagenet, who ascended the throne in 1154, is one of the most important in our earlier annals. In it the lower orders, especially the inhabitants of cities and towns, increased considerably in wealth and importance, and the distinction between Englishman and Norman was well nigh obliterated. To facilitate the administration of justice, and to provide for the care of the royal demesnes and revenues arising out of the feudal system, Henry divided the kingdom into six circuits, and instituted the justices in eyre (*in itinere*), commissioned to administer justice, and to try writs of assize in the several counties. He, also, discouraged the barbarous practice of trying cases by battle, and by the

ordeals of fire and water; and permitted the defendant to claim to have the case decided by a grand assize or peculiar description of jury. In this reign, too, it began to be customary to commute the military services, due under the feudal tenures, for a money payment (*escuage*); a change which led in the first place to the introduction of subsidies and taxes, and thereby eventually contributed to raise the Commons to the highest importance.—(*Blackstone*, iv. 422; *Hume*, i. 441—450; Stephens, *Rise and Progress*, i. 46, &c.)

Richard I., who succeeded Henry, engaged with the greatest ardour in the crusades. Among other devices for raising the sums required to meet his exigencies, he made grants of immunities and of portions of the demesnes of the Crown to cities and boroughs in return for loans of money; and as he followed a similar policy by means of sales, re-grants of land from the Crown in smaller parcels, &c., in all parts of the country, the popular influence was, consequently, in some degree increased. On the death of Richard, in 1199, the rapacity and oppressions of his successor, John, a prince without either talent or valour, afforded to the nobles and people a favourable opportunity, of which they did not fail to profit, of reforming abuses and of establishing the public liberties on a broader and more solid basis. This was effected by the concession of MAGNA CHARTA, or the Great Charter, extorted by the confederated barons from the king, and signed by him at Runnymede on the 15th of June, 1215.

"It has been lately," says Mr. Hallam, "the fashion to depreciate the value of Magna Charta, as if it had sprung from the private ambition of a few selfish barons, and redressed only some feudal abuses. It is, indeed, of little importance by what motives those who obtained it were guided. The real characters of men most distinguished in the transactions of that time are not easily determined at present. Yet if we bring these ungrateful suspicions to the test, they prove destitute of all reasonable foundation. An equal distribution of rights to all classes of freemen forms the peculiar beauty of the charter. In this just solicitude for the people, and in the moderation which infringed on no essential prerogative of the monarchy, we may perceive a liberality and patriotism very unlike the selfishness which is sometimes rashly imputed to those ancient barons. And, as far as we are guided by historical testimony, two great men, the pillars of our church and state, may be considered as entitled, beyond the rest, to the glory of this monument; Stephen Langton, Archbishop of Canterbury, and William, Earl of Pembroke. To their temperate zeal for a legal government, England was indebted during that critical period for the two greatest blessings that patriotic statesmen could confer; the establishment of civil liberty upon an immovable basis, and the preservation of national independence under the ancient line of sovereigns, which rasher men were about to exchange for the dominion of France."—(*Middle Ages*, ii., 447.)

Though principally directed against the abuses of the king's power, as feudal lord, the Great Charter contains principles of universal application, which give it great weight and authority, even at the present day, in matters of constitutional law. In it we find the seeds of many of our most valued institutions; and great constitutional questions have

seldom been discussed, in after times, without an appeal being made to its provisions in support of the liberty of the subject. The 46th and 47th clauses are most important. They declare that—"No freeman shall be taken, or imprisoned, or disseized, or out-lawed, or banished, or anyways destroyed; nor will we pass upon him, or commit him to prison, unless by the legal judgment of his peers, or by the Law of the Land.

"We will sell to no man, we will not deny nor delay to any man right or justice."

These clauses, had they been honestly acted upon by the courts, would have secured to the nation the blessing of speedy and impartial justice. They undoubtedly embody the principle of trial by jury and of the writ of Habeas Corpus.

But, in a constitutional point of view, the 14th clause is, perhaps, the most important:—"No scutage or aid shall be imposed in our kingdom, (beyond the ordinary liabilities of the feudal tenure,) unless by the common council of our kingdom." And in the 17th and 18th clauses, the king engages to summon to the Great Council, 40 days, at least, before the meeting thereof, the archbishops, bishops, abbots, earls, and great barons of the realm, and all others holding in chief of the crown.*

This is a distinct recognition and establishment of the great principle, that the nation should not be taxed but by its own consent; and it only required time, and a course of events which were even then in progress, to raise the Commons to sufficient importance to bring them within the operation of this clause. It is not to be supposed, however, that the provisions in this and other charters were well observed: indeed, the frequent demands for their confirmation attest the habitual disregard with which they were treated; and the generality of the terms in which they were expressed afforded a pretext for violating their spirit. They served, however, to keep alive, in the minds of the people, a knowledge of their rights and liberties, even at times when they were unable to enforce them; and afterwards, when they acquired this ability, they were of the last importance, being solemn documents, not to be denied or disputed, in which the prerogatives of the crown and the rights of the subject were deliberately ascertained and agreed upon.

The tenor of the writs issued in pursuance of the clauses to that effect in *Magna Charta*, indicates the class of persons who were then the legitimate members of the parliament. By the greater barons, nothing more, it is probable, was meant than those that were most powerful; and a personal summons might be intended only as a mark of greater respect; unless, indeed, the distinction rested on some unknown feudal principle. All who held their lands immediately of the crown were deemed to have an equal right to a seat. But in succeeding reigns this practice was altered, and such only as were actually summoned were permitted to attend; whence originated the mode of creating peers by writ of summons. It has been contended that the representatives of boroughs and cities were admitted to participate in

* See the Great Charter, and the translation thereof in *Rapin's England*, i. 285, ed. 1732.

the deliberations of the council soon after the passing of the Great Charter; but this is a very questionable proposition. The king, it has been observed, had no motive to summon burgesses for the purpose of obtaining grants of money from the towns, as long as the practice prevailed (which was not entirely abandoned till the reign of Edward II.) of negotiating with them for supplies on the footing of free gifts. We learn from the records of the Exchequer, that during part of the 12th and 13th centuries, the contributions of citizens, burgesses, and tenants in ancient demesne, in the form of aids and talliages, were obtained from each city or borough separately, by the solicitation of the justices on circuits, or of special commissioners employed for that purpose. In many instances, too, the boroughs, being the demesne land of some feudal superior, would be taxed through the medium of their lord, who was authorized, by law, to make his tenants contribute to the aid he had himself agreed to give. It is, however, extremely probable that burgesses were summoned to parliament previously to 1265;* but there is no conclusive evidence to show, that such was really the case till the epoch now mentioned, in the reign of Henry III., when Simon de Montfort, Earl of Leicester, the leader of one of the contending parties then in the field, issued writs, directing the election and return of two knights for each county; of two citizens for each city; and of two burgesses for every borough. The earliest writs to summon the citizens and burgesses were directed, not to the sheriffs, but to the cities and boroughs themselves. In the reign of Edward I. a different method was introduced, the writs being then usually addressed to the sheriffs, who were directed, in general terms, to make returns from "every city and borough within their bailiwicks;" and such is the form in which the writs are still issued.—(See *post.*) The question, by what class of electors were the members for the cities and towns returned? is involved in the greatest obscurity: but at all events, no qualification seems to have been necessary for the representatives. With regard to the electors of knights of the shire, there is good ground for believing that, even before the statute 7 Hen. IV. c. 15, the election was made in the full county court by its suitors, and that these suitors comprised not only the tenants in chief of the crown, but also the freeholders of mesne lords. After the parliament of De Montfort, no mention is made of the Commons until the subsequent reign of Edward I., the Acts in the beginning of which are said to be passed with the consent of the "commonalty;" and, for the first time, we find the king, on issuing a charter, confirming the previous charters (5th November, 1297), acknowledging the "commonalty" as an estate of the realm, and granting to them, for himself and his heirs, that "no aids, scutages, or prizes, should be taken thenceforth but by the common assent of the realm, and for the common profit thereof." At a subsequent period of the same year (25 Edward I.), this was further confirmed by the famous statute "*De tallagio non concedendo*," which enacts, "that no talliage or aid shall be taken without the goodwill and assent of the archbishops, bishops, earls, barons, knights, *burgesses*, and other freemen of the land." Henceforward the Commons appear to have been pretty regularly summoned during the reign of

* See *Lyttelton's Hist. of Henry II.*, vol. iii., pp. 216-234, 8vo. ed.

Edward I.—(Stephens, *Rise and Progress of the English Constitution*, i. 98.)

It is unnecessary to specify in this place the various improvements made by this monarch in the judicial polity of the country, as we shall afterwards have occasion to mention them when treating of the judicial system. It should be noticed, however, that the abolition of the practice of subinfeudation in this reign, gave a fatal blow to the feudal system, and has probably had an important influence over the constitution. Previously to this, every landowner had it in his power, by partial alienations of his lands, to create a feudal tenantry around him, subject to the military obligations and civil duties incidental to the relation of lord and vassal. But, by the 18th of Edward I., commonly called the statute of *Quia emptores*, it was enacted, that on every alienation, the alienee should be considered as holding, not of his immediate grantor, but of the same lord and upon the same terms as the grantor himself had held. The professed, and perhaps the real, intention of the statute was, to save the rights of the lords. In its inevitable tendency and result, it destroyed subordinate vassalage, and impaired the strength and perpetuity of the feudal system. In conjunction with other causes it put a stop to the erection of seignorial jurisdictions; and, thenceforth, the presumption was, and still is, that lands are held immediately of the king, and not of any intermediate feudal superior.

It has been the prevalent opinion that at the first admission of the Commons to Parliament they sat in the same house with the Lords, and voted with them; and that it was not for some considerable time thereafter that the Commons assembled by themselves and deliberated apart from the Lords. Most probably, however, they always did this. The grand, or rather sole, object the king had in view in summoning the Commons was to get their assent to taxes or subsidies to be imposed on their own order, the redress of grievances being very frequently the price paid for such assent; and as there was, in those days, almost always a difference in the proportional magnitude of the subsidies or taxes imposed on the property of the barons, and of those imposed on the property of the Commons, the presumption seems to be that each order taxed itself, and consequently that each deliberated apart from the other.—(Hallam, *Middle Ages*, iii., 54.) But, whether they were so from the outset, the two Houses were certainly separated as early as the reign of Edward II.; and the knights of the shire, who were originally a species of lesser barons, were then, also, associated, as part of the Commons, with the citizens and burgesses. This division into two distinct houses has served to distinguish the English parliament from similar assemblies in other parts of Europe, and has powerfully contributed to give weight and importance to the popular branch of the legislature. In this reign, the Acts were, for the first time, headed with the present formula, and are stated to be passed "with the assent of the prelates, earls, barons, and commonalty of the realm in parliament assembled." A statute of the 15th of Edward II. (1322) declares that "the matters to be established for the estate of the king, and of his heirs, and for the estate of the realm and of the people, should be treated, accorded, and established in parliament by the king,

and by the assent of the prelates, earls, and barons, and the commonalty of the realm, according as had been before accustomed." And this statute, as Mr. Hallam has remarked, not only establishes, by a legislative declaration, the present organization of parliament, but shows that it had existed for some length of time.* Under Edward III., the constitution was still more fully developed; the power of the Commons was so much increased, that the Black Prince and the Earl of March, were glad to avail themselves of their assistance in attacking an unpopular and obnoxious ministry; and at this period, also, the laws began to assume that special and detailed character, required to make them effective. An Act passed in the 4th year of this reign (1330) in revival of a similar Act in the previous reign, ordained, "that parliaments should be holden every year once, and oftener if need be." It has sometimes been contended, that this Act requires that a new parliament should be annually chosen; but it has been invariably and reasonably construed as requiring only an annual *session*, and not an annual *election;* and the soundness of this construction has been conclusively demonstrated. — (*Edinburgh Review*, March, 1817, Art. 6.)

It may be proper to observe, how singular soever it may now appear, that the right to send representatives to the great council of the nation, was for a lengthened period viewed rather in the light of a burden than of a privilege. The earlier representatives being employed for the advantage of their fellow-citizens in an expensive, and, to them, an unprofitable service, usually stipulated for a sum to defray their outlay; and in the reign of Edward III., 4*s.* per diem of wages were allowed to a knight of the shire, and 2*s.* per diem to a burgess.— (*Blackstone*, i. 174.) And hence we find that in the reigns of Edward III., Richard II., and the immediately succeeding princes, several of the inferior, and some of the larger boroughs petitioned the king to be excused from the onerous duty of sending burgesses to parliament. Some of the towns that had been excused on this plea, were replaced on the list of parliamentary boroughs by Elizabeth and other sovereigns; but this was not the case with others, who continued, to their great regret in a later period, to be unrepresented. The practice of paying wages to the members fell into pretty general disuse in Elizabeth's reign; but it was not entirely relinquished till a later period. Andrew Marvell, who was member for Hull in the first parliament after the Restoration, is said to have been the last person who received wages from his constituents.†

Upon the accession of Henry IV., in 1399, we find parliament, as representing the estates of the realm, ratifying the abdication of Richard II., and the choice of Henry, on the principles and nearly in the terms afterwards appealed to and adopted at the Revolution in 1688. It might be, and doubtless was, an object with Henry to have its sanction to his usurpation; and the part taken by the legislature on that occasion must have helped to increase its influence, and to impress it with a sense of its importance. The expulsion of Richard,

* Constitutional History of England, vol. i. p. 4.

† Brady on Boroughs, p. 127, ed. 1777; Stephens' Rise and Progress of the English Constitution, i. 144; Hallam, Const. History, i. 360, &c.

though effected by the arms of Henry, was in accordance with the wishes of the nation. The Commons, indeed, had previously (in 1382) laid before Richard a remonstrance, remarkable for its bold and independent spirit.—(*Rot. Parl.*, vol. iii., p. 100.) In it, they tell the king, that, "unless the administration of the kingdom be speedily reformed, the kingdom itself will be utterly lost and ruined for ever." In this reign, also, the Commons impeached the Earl of Suffolk, Lord Chancellor. A previous impeachment had taken place in the 50th year of Edward III.; but the latter was the more remarkable from the eminence of the person attacked. This grand constitutional engine has, as every one knows, been since frequently brought into operation. In 1405, (7 Hen. IV. c. 15,) an Act was passed, which Carte and others have supposed threw open the elective franchise, for counties, to all the freeholders, instead of confining it to tenants in chief. But the better opinion is, that this statute was intended to restrain the partiality of sheriffs, who had admitted no suitors to vote but those whom they had summoned for that purpose. By directing the election to be made by *all* the suitors, and the return to be made by indenture, to which the electors themselves were to be parties, this statute secured the constituency from undue practices, and at the same time furnishes some presumption that the franchise was beginning to be then regarded by the Commons as a valuable political privilege. It was an early recognition of the importance of a free election, and may be regarded as one of the foundations of our present election law. It ordained, "that thenceforth, at the next court to be holden for the county, after the delivery of the writ of summons, proclamation should be made, in the full county, of the day and place of the Parliament; and that all they that should be there present, as well suitors duly summoned for the same cause, as others, should attend to the election of the knights for the parliament, and then, in the full county, should proceed to the election, freely and indifferently, notwithstanding any request or commandment to the contrary."

The Act further directs, that the names of the persons chosen should be written in an indenture, under the seals of all that did choose them, which indenture should be tacked to the writ, and returned along with it to the sheriff. The form prescribed is still adhered to in practice.

It is not very easy to trace the steps by which the Commons succeeded in establishing their valuable privilege of originating money bills, or bills imposing any tax or burden on the public. We have already seen that after the Commons began to be summoned, they usually granted subsidies distinct from those granted by the Lords; and as these subsidies most commonly bore a greater rateable proportion to their means, and affected an incomparably greater number of persons, their gross amount must have very far exceeded the gross amount paid by the peerage. And such being the case, it might appear only reasonable that those who defrayed so much greater a proportion of the grants to the Crown should have the initiative in proposing them. But, in whatever way the practice may have been introduced, the right of the Commons exclusively to originate money bills was asserted as early as the reign of Henry IV., (*Rot. Parl.*, vol. iii.,

p. 611), in such a way as shows it was not then a novelty; and it has long been reckoned among their undoubted privileges.

The first disqualifying statute, the 8th Henry VI. was passed in 1429: it confines the right of voting at county elections to the 40*s.* freeholders; or as the Act expresses it, to those freeholders who *can dispend* 40*s.* by the year. In the same reign (23 Hen. VI.,) the legislature enacted, that knights of the shire should be actual knights, or such notable esquires or gentlemen as had estates sufficient to be knights, and by no means of the degree of yeomen; but the form of writ in use before the passing of this Act, hinders our supposing that this was more than a declaratory law. No qualification appears to have been required, at that period, for the representatives of boroughs.

Here, then, we close our review of the first of the periods referred to. The House of Peers, composed, throughout the greater part of the period, of barons, powerful from their territorial possessions, was at once feared and respected by the Crown. The practice of creating peers, by writ of summons, had, indeed, been commenced, but its influence was hardly felt. The Commons, also, from their peculiar position, as holding the balance of power between the Crown and the nobility, were rapidly advancing in importance. Their support was solicited by both parties, each of which found the advantage of maintaining an interest among them; and many curious documents are extant, which, by showing the intrigues carried on in the view of procuring or preventing the return of members, are clear proofs of their growing influence. During the latter part, indeed, of the period now described, the Commons actively interfered in the management of public affairs, and manifested no small degree of spirit in asserting and vindicating their privileges. Their right exclusively to originate money bills, to the freedom of debate, and to sundry personal immunities, was claimed and exercised; and the remonstrances which, from time to time, they addressed to the sovereign, attest at once their independence and their consciousness of their strength. The rights of the subject, also, as far at least, as they depended on laws, were well secured; though it must be admitted that these were, in general, very ill-observed, and that public disorder and private oppression were of almost perpetual occurrence. Throughout the whole of this period the restraints on the greater and more powerful barons were inadequate to protect either their vassals or the public from their illegal proceedings. They frequently rebelled against the sovereign, made war upon each other, and committed all sorts of despotical acts within their own lordships. The courts of justice were then, also, singularly inefficient. The judges, for the most part, were mere tools of the Crown; and juries, though rising in importance, wanted independence and power to act on their own views; and were not unfrequently compelled, in cases of interest, to give verdicts contrary to their conviction. But the leading principles on which the government was conducted were, nevertheless, of an enlarged and liberal description. The cardinal principle that no tax could be levied, no law enacted, without the assent of Parliament, was well observed. No freeman could be lawfully imprisoned, but by legal warrant, specifying the nature of his offence; and, by long-established usage, equivalent to law,

he might expect to be speedily brought to trial. The trial was had in the public court of the county in which the offence was committed, and the question of guilt was determined by a jury of twelve neighbours of the offender, summoned indifferently by the sheriff, and either cognizant of the circumstances of the alleged offence, or ready to inform themselves by the testimony of others; and, in all ordinary cases, juries were, no doubt, permitted to decide according to the evidence. "It were," says Mr. Hallam, "a strange misrepresentation of history to assert, that the constitution had attained anything like a perfect state in the 15th century; but I know not whether there are any essential privileges of our countrymen, any fundamental securities against arbitrary power, so far as they depend upon positive institution, which may not be traced to the time when the House of Plantagenet filled the English throne." (*Middle Ages*, iii. 301.)

II. In the earlier part of the second period, which extends from the accession of Henry VII. to the Revolution, the constitution can hardly be said to have been progressive; though there was a vast increase of order and tranquillity. In 1485, when Henry was raised to the throne, a marked change in the structure of society had taken place. The powerful families of the feudal period had mostly disappeared, or were partially extinguished during the late civil struggle; the peerage had become little more than a personal distinction, conveying only the valuable privilege of a hereditary right of legislation and jurisdiction; and the Commons had not yet risen into sufficient importance to supply the place of the ancient nobility in contests with the Crown. In consequence of these circumstances, and of the introduction of standing armies, the Princes of the House of Tudor acquired a degree of power and independence before unknown. Hence the reigns of Henry VII., Henry VIII., Mary, and Elizabeth, furnish few acts of constitutional value or importance. The legislature seemed, indeed, during the greater portion of this period, to be at the beck of the sovereign; and though it could sometimes be with difficulty brought to grant subsidies, it did not scruple in 1540, to give to the proclamations of Henry VIII. the force of Statutes (31 Hen. VIII. c. 8.) Elizabeth, though a popular as well as an able princess, frequently treated the Commons with the greatest hauteur, and went so far as to imprison certain members who had distinguished themselves by their opposition to the measures of government. During this period the Courts of Star Chamber and High Commission were either erected or remodelled, the former by Henry VIII., the latter by Elizabeth. And it was then that the doctrines of the divine right of kings, and of the duty of passive obedience, grew up and flourished under the fostering care of priests and lawyers, who found it more agreeable to the prince, and, consequently, more conducive to their own selfish purposes, to draw their notions of civil liberty from the Pandects and Decretals, than from MAGNA CHARTA, and the sound principles of our early polity.

In the meantime, however, two great events had taken place, that changed the whole moral and political aspect of this country and of Europe,—the Reformation, and the discovery of the Art of Printing. The former contributed powerfully to awaken inquiry, and to

strengthen and widen the basis of popular privileges by recognising the right of private judgment in matters of religion; while the latter, by diffusing, popularizing, and perpetuating all sorts of knowledge, made the people acquainted with their rights, with the grievances under which they laboured, and with the conduct of their rulers. It may, also, be remarked, that the insular situation of England, and the consequent peace she enjoyed, no less than the character of her new religion, assisted in spreading a taste for inquiry, and for all sorts of learning and science. Grammar schools having been generally established at the Reformation, the classic authors of Greece and Rome became the favourite study of the educated classes, and had a corresponding influence. An immense change was thus silently but effectually brought about in the public mind. Even in the latter part of the reign of Elizabeth, the Commons began to evince their impatience of arbitrary power; and it is difficult to say to what lengths they might have gone, had not the queen prudently consented to the abolition of sundry oppressive monopolies which had provoked their indignation. A still more remarkable proof of the prevalence of liberal opinions among the Commons occurred soon after. In the second year of James I., they prepared a vindication of, or apology for, certain of their proceedings at which the king had taken offence. In this document, which is drawn up in a determined spirit, and with no common ability, after stating, at some length, their privileges and liberties, which, they affirmed, were "their right and inheritance, no less than their very lands and goods," they go on to say: "that in that session the privileges of the House had been more universally and dangerously impugned than ever, as they suppose, since the beginning of Parliaments. That, in regard to the late queen's sex and age, and much more upon care to avoid all trouble, which by wicked practice might have been drawn to impeach the quiet of His Majesty's right in the succession, those actions were then passed over, which they hoped, in succeeding times, to redress and rectify; whereas, on the contrary, in this Parliament, not privileges, but the whole freedom of the parliament and realm, had been hewed from them." "What cause," they proceed, "we your poor Commons have to watch over our privileges, is manifest in itself to all men. The prerogatives of the prince may easily and do daily grow. The privileges of the subject are, for the most part, at an everlasting stand. They may be, by good providence and care, preserved; but being once lost, are not recovered but with much disquiet." (*Parl. Hist.* 1630; *Hallam's Const. Hist.* i. 417.)

It was not, however, till the following reign, that the strength which popular principles had been for some time acquiring, became fully apparent. Charles I., deeply impressed with the notions of divine right and absolute power, ascended the throne under the complicated disadvantages of a union with a Roman Catholic princess; the dominion of an unpopular favourite, the Duke of Buckingham; and an exchequer much disordered by the prodigalities of his predecessor. To these adverse circumstances have to be added a want of sincerity and directness of purpose. But his great defect, and the grand source of the disasters he entailed on himself and the country, consisted in his arbi-

trary principles of government. He could not brook the growing power and influence of Parliament; and was infatuated enough to suppose that a nation so rich, populous, and enlightened as England now was, and which had long possessed a representative assembly, would submit to be governed in the same way as in the reigns of Henry VIII. and Elizabeth. It was then that the advantage to the popular cause of being able to appeal to such a national record as Magna Charta became obvious. Men, eager for the formation of a free government, found in it the rudiments of one ready framed to their hands. It also showed they were attempting no innovations; that they asked only for the constitution granted to their fathers; and thus by judiciously combining the deductions of reason with principles long established, the reformers of that day enlisted the prepossessions of all classes in their service; a circumstance of the last moment in such a struggle.

The great constitutional acts passed in the reign of Charles I. do little more than recite and confirm the ancient charters and statutes already referred to, and provide for their more effectual observance. Thus, the famous declaratory statute, called the Petition of Right (3 Charles I., c. 1, 1627), framed by the most celebrated statesmen and lawyers of that age, commences by reciting the statute of Edward I., "De tallagio non concedendo," and the clause in Magna Charta on the same subject; and concludes by praying, nearly in the words of those statutes, that their contents should be re-enacted, and that their previous violations should not be drawn into precedent. The act for abolishing the Star Chamber and jurisdiction of the Privy Council (16 Charles I., st. 10, 1640), in like manner sets out by reciting the clause of Magna Charta, and the acts of Edward III., which declare it to be illegal to imprison a free man otherwise than by the judgment of his peers; and again declares that neither his Majesty nor his Privy Council has any jurisdiction, power, or authority, by English bill, petition, articles, libel, or by any other arbitrary way whatsoever, to examine or draw into question, determine, or dispose of the lands or goods of any subject of this kingdom; but that the same ought to be tried and determined in the *ordinary courts of justice*, and by *course of law*. By another Act, passed in the same year with that last mentioned, the Court of High Commission was also abolished.

The military despotism which succeeded terminated with the death of Cromwell. England had passed the period when such a government could be maintained, unless by rulers of extraordinary talent, and, perhaps, not even by them. In 1660, Charles II. was recalled to the throne of his ancestors, and the old constitution re-established. His reign is memorable for the passing of the *Habeas Corpus* Act, (31 Car. II., c. 2, 1679), denominated the palladium of an Englishman's liberty. It empowers every man detained in prison on questionable grounds, to insist on being forthwith brought before a judge of one of the higher courts, to have the legality of his detainer determined; and it declares it to be illegal for the sovereign to send any British subject to prison "beyond the seas." It is a mistake, however, to suppose that this Act introduced anything essentially new: the writ of *Habeas Corpus*, and the subject's right to it, are as old as the constitution itself; but,

in the preceding reigns, the slavish ingenuity of the judges and crown lawyers had succeeded in creating formidable obstacles to the issue of the writ, which, with other abuses, this statute was calculated to remove. In this reign, also, in 1667, the important privilege of the freedom of speech, or of debate in parliament (subject only to the restrictions deemed necessary to preserve order and decorum), was established in an authoritative manner. Such freedom is, indeed, essential to the very being of a deliberative body; and had been asserted and exercised since the first sittings of parliament. But, however indispensable, this privilege had, like most others, been impeached by the courts in the early part of the reign of Charles I. But the proceedings on that occasion were now declared to be illegal; and the freedom of speech in parliament was confirmed by a decision of the House of Lords, and by the joint declarations of both Houses. At the Revolution, this freedom was finally established, on the broadest basis, by a clause in the Bill of Rights.

The right to petition the king and both Houses of Parliament, and to lay before them a full statement of the wishes, and of the real or supposed grievances of the subject, is one of the most valuable constitutional rights of Englishmen. By it the legislature is authentically informed of the feelings and wishes of the nation as well as of individuals, on all points of public interest and importance; and the risk is obviated of introducing, or of ignorantly sanctioning, measures opposed by any considerable portion of the people. This right was recognised and regulated by an Act of the 13th Charles II., and was afterwards unequivocally asserted and confirmed by the Bill of Rights, with no other restraint than that which was deemed essential to its effective exercise, and to the preservation of the public peace.

Charles II. was succeeded, on his demise in 1685, by his brother James II. The latter, an avowed and zealous Papist, and imbued with the highest notions of the prerogative, speedily succeeded, by his despotical proceedings, in alienating and disgusting the all but entire body of his Protestant subjects. The Revolution of 1688, which was the consequence of these proceedings, had many features in common with the measures which had taken place nearly three centuries previously on the abdication of Richard II. Again the nation, represented by its three estates, asserted and exercised the right of compelling one sovereign to abdicate, and of substituting another in his stead. The facility with which it did this is, perhaps, unparalleled in history; and must, no doubt, be in part, at least, ascribed to the consummate prudence of our great deliverer, William III. While a change of dynasty or of the constitution, how necessary soever, has rarely been effected in other states except by some convulsive effort, amid violence and bloodshed, the English Revolution was brought about without any disturbance of public or of private rights, and almost without any interruption of the daily concerns of life. It was dictated by reason, not by passion or vengeance; it was not resorted to until all other methods of redress had been tried and failed; and then the leaders of the people and of the peerage concurred in its necessity, and co-operated in its accomplishment.

On this occasion, before the crown was tendered to William and

Mary, a solemn declaration of the rights and privileges of the subject was made by the Lords and Commons, as "representing all the estates of the people of this nation;" which was subsequently ratified by Parliament in the celebrated statute (1 Will. and Mary, sess. 2, 1689), known by the name of the "Bill of Rights." Like the popular Acts of Charles I. and II., it contained nothing unknown to the constitution; but, being the last occasion on which the liberties of the people and the prerogatives of the Crown were defined, it may be proper to extract from it so much as relates to them.

By this statute it is declared—

1. That the pretended power of suspending of laws or the execution of laws, by regal authority, without consent of Parliament, is illegal.

2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and executed of late, is illegal.

3. That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious.

4. That levying money for or to the use of the Crown by pretence of prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal.

5. That it is the right of the subjects to petition the King; and all commitments and prosecutions for such petitioning are illegal.

6. That the raising or keeping a standing army within the kingdom in the time of peace, unless it be with consent of Parliament, is against law.

7. That subjects which are Protestants may have arms for their defence, suitable to their conditions, and as allowed by law.

8. That election of members of Parliament ought to be free.

9. That the freedom of speech, and debates or proceedings in Parliament, ought not to be impeached or questioned in any court or place out of Parliament.

10. That excessive bail ought not to be required, nor excessive fines, nor cruel and unusual punishments inflicted.

11. That jurors ought to be duly impanneled and returned, and jurors who pass judgment upon men in trials for high treason ought to be freeholders.

12. That all grants and promises of fines and forfeitures of particular persons, before conviction, are illegal and void.

13. That for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently.

This Act, with the Act of Settlement, which excluded James and the greater part of his family from the succession, and fixed it eventually in the Protestant line of Hanover, completed the Revolution.

Such was the end of that 50 years' struggle which commenced with the meeting of the Long Parliament in 1640. That the popular party, in the course of this lengthened contest, advanced on some occasions unjustifiable pretensions, and that their conduct was sometimes subversive of the principles by which they pretended to be actuated, is

most true. But after every allowance is made for their faults, follies, and errors, they are still entitled to the warmest gratitude and respect, not merely of Englishmen, but of the whole human race. They successfully vindicated the supremacy of the nation, and the right of resistance to unconstitutional power. And they displayed in the hour of their triumph, a degree of moderation and of practical good sense, that does them the highest honour. Their example has had a powerful influence in all civilized countries, and the form of polity that they established has been introduced into the United States, France, and other nations. Its influence in England has been beneficial beyond all that could have been reasonably anticipated; and we are indebted for by far the larger part of our superior comforts and wealth, and for the distinguished place we occupy among the nations of the earth, to the triumph of those free principles of government that were consolidated by the Revolution. From this period, English history assumes a new aspect: the conflict of parties succeeds to that of principles. It is true that, for some time after the Revolution, speculative opinions respecting the royal prerogative continued to vary; and the adherence of a large body of the people to the exiled family, placed the constitution in considerable danger: but the fundamental doctrines of the inviolability of the sovereign, the responsibility of ministers, and the supremacy of parliament, were never afterwards practically contested. Force was abandoned; and government, maintained in ordinary times by influence, was controlled in crises of importance by public opinion.

III. We come now to the consideration of the third period, which brings us down to the present time. After the Conquest, we saw a people deeply imbued with ideas, if not of civil liberty, at least of freedom and independence: emerging from a rude and barbarous polity, we saw the constitution growing up, and assuming a form impressed by circumstances, rather than moulded on any preconcerted plan: we saw that constitution, after being repeatedly strengthened and confirmed by charters of the sovereigns, and by solemn acts of the legislature, settled nearly on its present basis. When the civil commotions which distracted England during the lengthened period from the accession of Richard II. to the defeat and death of Richard III. at the battle of Bosworth Field in 1485, had subsided, and a new and more powerful dynasty had succeeded to the throne, the circumstances which led to the establishment of the constitution, and which had previously supported it, either did not exist, or were materially impaired. Hence we saw the constitution begin to degenerate from a limited towards an absolute monarchy. But as society advanced, and the numbers, wealth, and intelligence of the people increased, they reasserted their rights, and happily succeeded, after a lengthened contest, in establishing them on a secure basis. Although, however, the ancient form of government was preserved, the Revolution effected a prodigious change in its spirit and character. No longer a powerful lord at the head of his vassals, as in the first period; nor an all but absolute monarch, feebly controlled by an inefficient parliament, as in the greater part of the second; the King is now a constitutional sovereign acting by responsible ministers. Since the Revolution, the Crown has been

dependent for its ordinary revenues on the House of Commons, and has been unable to carry any measures, except by the aid of a majority in parliament. The management of political affairs has consequently been left, without any ostensible interference on the part of the sovereign, to ministers selected from among the individuals who have enjoyed the confidence or support of the houses of Lords and Commons, or, at all events, of the latter. The ministers have naturally endeavoured to strengthen their party and preserve their ascendancy by the judicious distribution of the vast patronage in their possession. And when they have really possessed the confidence of the sovereign, been for a considerable time in power, and acted with due discretion and ability, the government has frequently acquired a strength and vigour greater even than in the palmy days of prerogative. At least, such was the case previously to the passing of the Reform Act.

Among the constitutional changes to be noticed in this period are the Unions with Scotland and Ireland; the former of which took place in 1707, the latter in 1800. A statute was also passed in the 9th of Anne, which made a qualification of landed property necessary both for knights of the shire, and for borough members. The Triennial Act (6th of William and Mary, c. 2, 1694) limited the duration of each parliament to three years, before which period the duration of parliament was not restricted to any specified term, but might have been indefinitely extended by prorogations. This Act was not, however, long in existence, having been set aside in 1717, by the 1 Geo. I. st. 2, c. 38, commonly called the Septennial Act, from its prolonging the statutory duration of the parliament then sitting, and of all subsequent parliaments, to seven years. Notwithstanding what Mr. Hallam has alleged to the contrary (*Const. History*, iii. 316), we are inclined to think that the constitutionality of this measure was not a little questionable. But of its expediency at the time when it was passed there can be no reasonable doubt; and we agree with those who think that in its practical working it has turned out advantageously; and that seven years is on the whole a better term to which to limit the duration of parliament than three years.

The continued and rapid extension of manufactures and commerce since the peace of Paris in 1763, has, by giving birth to new and powerful classes, materially changed the former distribution of political power, and has already produced, and, no doubt, will continue to produce, great changes in the constitution. After the epoch referred to, large manufacturing and commercial towns grew up in all parts of the country, the inhabitants of which were but little influenced by those powerful ties which generally connect an agricultural population with the superior landowners. Education was more generally diffused; and a desire for political information increased with the increase of opulence and population. In consequence, political journals were established in every considerable town, in which the speeches made in parliament were fully reported; and the conduct of public men, and the measures of government, freely canvassed. The improved facilities of internal communication afforded the means of conveying intelligence with astonishing rapidity from one part of the country to another; so that most persons began to take an interest, not only in what was going

on around them, but in public affairs, and in the concerns of the remotest parts of the empire. Prejudices and established opinions of all sorts were openly attacked. The structure of the political fabric, and the rights and privileges of the different ranks and orders of society, were subjected to a searching investigation; and their claim to respect began to be tried by reference to their usefulness rather than to their antiquity. Under such circumstances, we need not be surprised that the expediency of making some change in the constitution of the House of Commons became gradually more and more obvious. The parliamentary boroughs had all been specified previously to the Revolution; and no provision was made for admitting representatives for such new boroughs as might afterwards attain to importance, or for the disfranchisement of such of the parliamentary boroughs as might happen to fall into insignificance. Hence it came to pass that many commercial and manufacturing towns, such as Manchester, Birmingham, Sheffield, Leeds, Halifax, Bolton, &c., which had attained to vast wealth and importance since the parliamentary boroughs were selected, were excluded from all share in the representation, while, on the other hand, many boroughs that had become quite unimportant continued to enjoy this valuable privilege. A distinction of this sort could not be long endured. During the American war, the great manufacturing towns began publicly to manifest their impatience at being deprived of representatives; and deriving confidence from their numbers, their wealth, and their intelligence, they prosecuted their claims to participate directly in the privileges of the constitution with a boldness which would probably have been long ago successful, had the progress of constitutional reform not been arrested by the violence of the French revolution. The alarms occasioned by that event, and by the war that grew out of it, suspended for a while the demand for an improved representative system. But after the peace of 1815, this demand was renewed; and its reasonableness, the immense addition that had been made to popular influence, and the excitement occasioned by the movements on the Continent in 1830, made it imprudent, or rather impossible, longer to disregard it. A free government, to be secure, must possess the confidence of the people; and to enjoy this it must, how reluctantly soever, conform to their reasonable wishes. It is idle to suppose that any constitutional system can be absolutely perfect, or that it may be always maintained without variation. Human institutions are not destined to be immortal; and unless they be voluntarily modified and accommodated to the varying exigencies of society, the probability is they will be violently overturned. Impressed with this conviction, a reconstruction of the representative system on a more liberal basis was resolved upon by parliament, and was at length carried into effect by the Reform Act. This important statute, which will immortalize the names of its authors, the late Earl Grey and Lord John Russell, by disfranchising a good many decayed and trifling boroughs, and enfranchising the greater ones, and giving the right of voting at the election of members for towns to the holders of 10*l.* houses, has rendered the House of Commons a good deal more democratical than formerly, and has, consequently, made it correspond better with the theory of the constitution. This tendency

has, perhaps, also been strengthened by the changes that were at the same time made in the county representation, though that is more doubtful.

The period that has elapsed since the passing of the Reform Act is too short to enable any one to estimate with much confidence the real influence of the changes it effected. On the whole, however, they certainly have hitherto been, and will most likely continue to be, highly beneficial. It is obvious that such a modification of our institutions as should admit the great towns, that had grown up since the parliamentary boroughs were selected, to a direct participation in the privileges of the constitution, was alike just and indispensable. It was an insult to common sense that Gatton and Old Sarum should be represented, and that Manchester and Birmingham should not; and the wonder is, that so revolting an anomaly should have been so long maintained. The only question now is, has the franchise been placed in proper hands? Time only can resolve this; but there are, perhaps, some grounds for apprehension. It appears to us that, in a country like Great Britain, with so great a public debt, and where so much depends on the security of property in opinion, as well as in fact, the power to send representatives to the House of Commons should not have been conceded, except to those who, from their position in society, might be presumed to have a substantial interest in the support of the existing order of things. But the occupier of a 10*l.* house, or of a 50*l.* farm, may be, and in fact not unfrequently is, little better than a beggar. And we are not of the number of those who believe, or affect to believe, that a person with only 20*s.*, or without anything, will feel himself as much interested in good government, and in the maintenance of that security so essential to all great undertakings, as the owner of an estate or of a cotton-mill. That such person has a real interest in the well-being and tranquillity of the empire, is most true; but it is absurd to suppose that he will be so likely to be influenced by a wish for its promotion, or that he will be so little disposed to lend a willing ear to the harangues of demagogues, or to withhold his sanction, in periods of distress or excitement, from dangerous projects, as a person with some considerable amount of property.

Much stress has been laid on the difficulties in the way of the establishment of a *bonâ fide* property qualification; but though formidable, these are not insuperable; and provided the qualification were of a reasonable amount, it appears to be the most likely means of providing for the respectability and independence of the constituency, and consequently, of ensuring the election of representatives to whom the affairs of the country might be safely entrusted.

We believe, however, that the objectionable class of electors alluded to above forms in most, if not in all, instances a minority; and that the good sense and obvious interest of the bulk of the people will be sufficient to hinder any rash or dangerous tampering with our institutions. It were well, however, that steps were taken to give the Reform Act fair play, by putting a stop, if that be practicable, to the manufacture of fictitious votes. In many instances this practice has been carried to a very great height, and threatens, unless put an end to, to subvert every sound principle of representation.

CHAPTER II.—PARLIAMENT, ITS CONSTITUTION, PROCEDURE, ETC.

SECT. 1. *House of Lords.*

HAVING made these preliminary remarks, we proceed to notice the different parts of the constitution, beginning with the legislative body or parliament.

In treating of parliament, we shall first exhibit its constituent parts; secondly, its method of transacting business; and, thirdly, the mode in which it is adjourned, prorogued, and dissolved.

The constituent parts of parliament are the King, the Lords Spiritual and Temporal, and the Commons.

The consideration of the KING and his office comes more properly under that part of the present inquiry which treats of the executive department of government; to which, therefore, we defer it.

The HOUSE OF PEERS, the next in dignity, consists of the Lords Spiritual and Temporal of the United Kingdom. The feudal origin of the peerage has been already noticed; it is now, however, a mere titular dignity conferred by the Crown at pleasure. At present [1846] the House of Lords is composed nearly as follows, but the number, of course, varies from time to time, according to the creation and extinction of peerages:—

Peers of the blood royal	3	Peers of Ireland (elected for life, of whom 2 are British peers)	28
Dukes	20	English archbishops and bishops	26
Marquises	20	Irish representative archbishop and bishops	4
Earls	116		
Viscounts	22	Total (exclusive of 2 of the Irish peers)	456
Barons	201		
Peers of Scotland (elected each parliament)	16		

The judges, attorney and solicitor-general, the King's serjeants (unless they are members of the Commons, in which case their attendance is dispensed with), the master of the Rolls and masters of Chancery, are summoned, at the commencement of every session, to attend on the peers for the purpose of giving their opinion and advice when required, or of performing certain ministerial offices. They are not, however, admitted to vote; and, in practice, the judges only are required to assist the Lords with their opinion.

The Lords Spiritual, who sit in the Upper House, are the 2 archbishops and 24 bishops of England; and 1 archbishop and 3 bishops from Ireland, who succeed in rotation, and sit for a session only, agreeably to the Act of Union with that country. There being no episcopal establishment in Scotland, no Spiritual Lords are sent from that part of the United Kingdom.

Considerable difference of opinion prevails in regard to the origin of the right of the bishops to sit in parliament. Some have contended that they sit there solely as barons by tenure upon feudal principles; while others contend that their seat in the parliamentary assemblies of this and other countries is ascribable to the powerful influence they early acquired in the various nations that rose upon the ruins of the Roman empire, and that it had no reference to their temporal posses-

sions. On this subject, the Report of 1821 of the Committee of the House of Lords on The Dignity of the Peerage, has the following observations:—"The right of a bishop to sit seems to be in the nature of a franchise annexed to the temporalities of his see, founded on long custom. A bishop, therefore, does not become a lord of parliament until he has been invested with the temporalities of his see; then, and not before, is he entitled to a writ of summons to enable him to take his seat. Consecration, it must be remembered, merely confers the spiritual part of the office; the investiture puts him in possession of the temporalities. When a bishop is translated from one see to another, his right to a seat in parliament, as a franchise annexed to the temporalities of his former see, ceases in consequence of his cession of that see from which he has been so translated, and he does not become entitled until invested with the temporalities of his new see."

The Lords Temporal comprise such peers of the realm as are lords of parliament, and consist (being enumerated in the order of their rank,) of Dukes, Marquises, Earls, Viscounts, and Barons. Dismissing from our consideration the territorial dignities which existed among our Saxon ancestors, and confining ourselves to the period that has elapsed since the Conquest, we find that the titles of earl and baron are the oldest that occur in our history; those of duke, marquis, and viscount, being of later origin. The first creation of a duke was by Edward III., who conferred, (in 1335 or 1337,) on his eldest son, the Black Prince, the title of Duke of Cornwall. The title of marquis dates from the reign of Richard II., and that of viscount from the reign of Henry VI. The Crown has, for a lengthened period,* enjoyed the prerogative, as the fountain of honour, of conferring on distinguished individuals titles of nobility with the dignity, power, and privilege of peers of the realm and lords of parliament. By the law of England, Peers *of the realm* are always Lords of Parliament; but this is not necessarily the case with a Scotch or Irish peer.

Formerly, England, Scotland, and Ireland had each its own parliament, and, consequently, its own House of Peers. After the union of the three kingdoms, their several parliaments were united into one, and the peerage underwent a material change. Such only as were *peers of England* at the union with Scotland, in 1707, were entitled, as a matter of course, to sit in the new parliament of Great Britain, the Scotch peers being represented in it by 16 of their number chosen by themselves at the commencement of each parliament. At the union with Ireland, none but *peers of Great Britain* were entitled to take their seats in the new parliament of the United Kingdom, the Irish peers being represented therein by 28 of their number, chosen for life. The number of Scotch and Irish peers who were thus excluded from parliament, has been since very much diminished through the practice which has prevailed, of creating them peers of Great Britain, and of the United Kingdom, and so making them lords of parliament.

Creation of Peers.—Peerages are at present created by writ or by letters patent; those who claim by descent supposing either a writ

* It is doubtful, however, whether, as some contend, the Crown always enjoyed this privilege. At all events, there are repeated instances in our earlier history of the creation of peers by Act of Parliament. (*Hallam, Middle Ages*, iii. 192.)

or patent to have been made to their ancestors, though by length of time it has been lost. Creation by writ, or by King's letter, is a mere summons to an individual to attend the House of Peers by the style and title of the dignity which the King is pleased to confer. A patent is a royal grant to a subject of the dignity and degree of peerage. The creation by writ is the more ancient way; but it is said not to ennoble an individual unless he actually take his seat in the house: some are of opinion that there must be at least two writs of summons, and a sitting in two distinct parliaments, to establish in evidence an hereditary barony; and, therefore, the most usual, because the surest way, is to grant the dignity by patent, which insures it to the patentee and his heirs general or in tail, according to the limitation, though he should never himself make use of it. It is not, however, an unfrequent practice to call up the eldest son of a peer to the House of Lords by writ of summons in the name of some barony vested in the father, because in that case there is no danger of his children losing their nobility, as they must, at all events, succeed to their grandfather. Creation by writ is said to have this advantage over that by patent, that a person so created holds the dignity to himself, and his lineal descendants, male or female, without any words to that purport in the writ; whereas, in letters patent, there must be words to give the inheritance or limit the descent of the peerage, otherwise the dignity lasts only for the life of the grantee. A peerage, it is to be observed, may be created for life only, or be made to descend to some particular heirs only, or be limited to collateral relations. The mere tenure of certain lands, castles, or territorial possessions, formerly gave their owners the rights and privileges of the peerage; but the established opinion now is, that such claims can no longer be sustained.* During the prevalence of the feudal restraints on alienation, a peerage of this sort was, perhaps, not very open to objection; but it is at variance with modern principles; and it has accordingly been resolved by the House of Lords that peerages are not capable of being barred, alienated, or surrendered by act of the party.† A peer cannot lose his nobility but by death or attainder, though we have an instance in the reign of Edward IV. of a peer (George Neville, Duke of Bedford,) being degraded by Act of Parliament, on the ground that his poverty rendered him unable to support his dignity.‡ It has no doubt been said, that the King may not only confer, but that he may also take away the dignity of the peerage; but this is denied by later authorities, who hold that it can only be done by Act of Parliament as in the instance now noticed. The question, whether a person, on whom the dignity of peer may descend or may be conferred, can waive or refuse the honour, has been agitated, but does

* Arundel Castle is one of these. But supposing it were now to pass out of the hands of its present owner (the duke of Norfolk), the purchaser would not, according to the modern doctrine, be entitled to a writ of summons, or consequently to any privilege as a lord of parliament.

† See Third Report of the Lords on the Dignity of Peer.

‡ The preamble to this Act is curious: Forasmuch as oftentimes it is seen, that when any lord is called to high estate, and hath no convenient livelihood to support the same dignity, it induceth great poverty and indigence, and causeth oftentimes great extortion, embracery, and maintenance to be had, to the great trouble of all such counties where such estate shall happen to be; therefore, &c. —

not appear to have been decided; and it is plainly one more of curiosity than of practical moment. In Queen Anne's reign, as many as 12 peers were created at once for the express purpose of giving the preponderance to a party in the Upper House; but this, though a legal, cannot, with any propriety, be called a constitutional proceeding.

In 1718 a measure was introduced into Parliament, with the consent of the king, George I., for abolishing the prerogative of creating peers, and limiting the numbers of which the House of Lords was, in future, to consist. This measure, which would have made a great immediate addition to the power of the Lords, passed easily through their Lordships' house, but was rejected by a great majority in the Commons. One of the principal arguments in behalf of the measure was founded on the abuse (noticed above) of the power to create peers in the reign of Anne; and on the propriety of guarding against its recurrence. But this, though a desirable object, is not very easily attainable; and had the measure of 1718 been carried, the probability is that it would, by isolating the peerage, have tempted that body to pursue measures that might occasionally have been at variance with the public interests; while, instead of being looked up to with respect by all classes as at present, and regarded as an order to which every deserving individual may hope to elevate himself or his descendants, it would have been viewed with mingled feelings of jealousy and aversion; and would, most likely, have been already overthrown. At the same time, however, there can be no doubt that the prerogative of creating peers has been far too liberally exercised, not to say abused, since the Revolution, and more especially since the accession of George III. Mr. Pitt and the ministers by whom he has been followed, with the single exception of Sir Robert Peel,* have lavished peerages with a profusion that has been injurious alike to the dignity and legitimate influence of the peers, and to the independence of the Commons. In this respect the practice of elevating successful generals and admirals and distinguished lawyers to the peerage, has been most injudicious. Such persons have rarely fortunes adequate to support the station of peers; and it is customary, indeed, to give them pensions for two or three lives, in the view of enabling them to defray the expenses incident to their elevation. But a practice of this sort must plainly, in the end, fill the House of Peers with a servile herd of dependents on the Crown or on the minister of the day. And if it be really desirable to raise warriors and lawyers with but slender fortunes to the Lords, the better plan would be to confer the dignity for life only.'

The claimant of a peerage petitions the King for a writ of summons, who refers the claim to the House of Lords to be investigated. When a peerage, as sometimes happens, is in abeyance (as when it devolves on co-heiresses), none can assume the title till the Crown has ter-

* His administration forms in all respects a striking contrast to most administrations by which it has been preceded. Sir Robert Peel is the only minister since the Revolution who has on all occasions kept the interests of the country steadily in view; and who has never either sacrificed or postponed them for the sake of party or of power.

minated the abeyance by selecting one of the claimants at discretion. If the party in whose favour the abeyance is terminated be a commoner, it is done by writ of summons directed to him in the style and title of the barony in abeyance; if he be already a peer, and has a higher dignity, in such case the King confirms the barony to him by letters patent: the latter course is also adopted in the case of a female claimant.

The Lords Spiritual and Temporal, though they differ in their creation and in the right in which they sit, form one integral assembly, and are blended together under the common name of the Lords. A bill, passed by the Temporal Lords in the absence of all the Spiritual Lords, or against their will, would be as valid as if they had been present; and the same, it is conceived, would be the case with respect to a bill passed by the Spiritual against the unanimous votes of the Temporal Lords.

We may observe, before dismissing this part of our subject, that the peerage in England is a strictly personal dignity, and that it attaches exclusively to the individual in possession of the peerage. In other countries the descendants of nobles are all noble; but this has never been the case in England. With the exception of the individual on whom a peerage actually devolves, the other descendants of a peer are universally commoners. The titles they sometimes enjoy are mere marks of courtesy; the sons and daughters of dukes and earls, though of noble blood, having, in the eye of the law, no pre-eminence of any sort over the humblest individuals.

Hence the intimate connexion of all classes in this country. Except in the case of peers, who enjoy valuable but not oppressive privileges, every rank and order of men in the state, including the families of peers, have always enjoyed the same rights, and been subject to the same laws. And, to borrow the expressions of Mr. Hallam, "There is no part, perhaps, of our constitution so admirable as this equality of civil rights, this *isonomia*, which the philosophers of ancient Greece only hoped to find in democratical governments. From the beginning our law has been no respecter of persons. It screens not the gentleman of ancient lineage from the judgment of an ordinary jury, nor from ignominious punishment. It confers not, it never did confer, those unjust immunities from public burdens, which the superior orders arrogated to themselves on the continent. Thus, while the privileges of our peers, as hereditary legislators of a free people, are incomparably more valuable and dignified in their nature, they are far less invidious in their exercise than those of any other nobility in Europe. It is, I am firmly persuaded, to this peculiarly democratical character of the English monarchy, that we are indebted for its long permanence, its regular improvement, and its present vigour. It is a singular, a providential circumstance, that in an age when the gradual march of civilization and commerce was so little foreseen, our ancestors, deviating from the usages of neighbouring countries, should, as if deliberately, have guarded against that expansive force, which, in bursting through obstacles improvidently opposed, has scattered havoc over Europe."—(*Middle Ages*, ii., 478.)

SECT. 2.—*House of Commons.*

The HOUSE OF COMMONS, as remodelled by the Reform Act, consists of 658 members, returned as follows:—

	Members.	
England; for 40 counties	144	
——— 2 universities	4	471
——— 186 cities and boroughs	323	
Wales; for 12 counties	15	
——— 57 cities and boroughs	14	29
Scotland; for 33 counties	30	
——— 76 cities and boroughs	23	53
Ireland; for 32 counties	64	
——— 1 university	2	105
——— 33 cities and boroughs	39	
Total	658	

It is, however, a principle of the constitution that, though the members of the House of Commons be returned by particular districts, they are not to be considered as representing the constituency of such districts, but the commonalty of the whole kingdom. They are not the authorised agents of a county or borough, elected with a view to promote its local interests, or to represent its wishes, but they are summoned to consider and assent to those measures which shall appear to them to be conducive to the common welfare, or essential to the support of the state, and to oppose those having an opposite tendency. It is probable, indeed, that the Commons were formerly summoned to parliament with a more limited object, and were the depositaries of a more limited power from their constituents.* But a different practice has been established for centuries, and the larger principle, laid down above, is no longer to be controverted.†

In treating of the constitution of the House of Commons, we shall notice, 1st, the qualification of electors; 2nd, the qualification of members; and, 3rd, the manner of holding an election.

1. *Electors.*—Certain persons are altogether disqualified from being electors; some for ever, as women and idiots; and others during the existence of the disability only. In the latter class are to be ranked persons attainted of treason or felony, or convicted of bribery, perjury, or subornation of perjury, minors, and aliens; the disqualification of the latter, however, ceases on their being made denizens, or naturalised by Act of Parliament. To these may also be added all persons receiving parochial relief, except militia-men absent on duty, whose families may be relieved without affecting the franchise. By the 23 Geo. III., c. 41, no person in any way employed in collecting or managing the duties of excise, the customs, the stamp duties, the duties on windows or houses, or in collecting the revenues of the post office, or in conveying the mail to or from foreign parts, is allowed, while holding such employment, to give his vote, or interfere in any election, under a penalty of *100l.*, his vote at the same time being declared void. This Act, however, does not extend to persons engaged in collecting the land-tax, or any other rates or duties granted by Act

* Clause 38 Henry III.; 13 Edward III. 2 Rot. Parl. 104, &c.
† 4 *Coke, Inst.* 14. 2 *Whiteloche's Notes*, 329.

of Parliament, or to any person holding any office usually granted under letters patent for any estate of inheritance or freehold. Lords of parliament are also disabled from voting, by a resolution of the House of Commons.

Qualification of County Electors.—Before the Reform Act, the qualification of county voters was regulated by the 8 Henry VI., c. 7, by which the suffrage was limited to such as possessed freeholds of the value of 40*s.* a-year at the least, clear of all charges. These freeholds, however, only confer a vote for the county within which they are situated. The Reform Act (2 Will. IV., c. 45, 7th June, 1832) has partially restrained the franchise in respect of freeholds for lives, but has greatly extended it in respect of other property, by conferring a right of voting upon certain lessees, leaseholders, and tenants by copy of court roll, or other similar tenure. By that Act, no person is to vote in the election of knights of the shire, or of members for any city or town being a county of itself, in respect of any freehold lands in which he has only a life estate, whether for his own life or the lives of others, unless in actual and *bonâ fide* occupation thereof, or except they came to him by marriage, marriage settlement, devise, or promotion to any benefice or office, or unless they are of the clear yearly value of not less than 10*l.* above all rents and charges. All persons, however, who were in possession of such life estates at the time of passing the Act are expressly excepted. By the same Act, the elective franchise for counties has been extended to persons seised at law or in equity of any lands or tenements of copyhold or any other tenure for their own lives, or for the lives of others, or for any other larger estate, of the clear yearly value of 10*l.* per annum. Leaseholders of lands of that value, whatever may be their tenure, whose leases were originally created for a term of not less than 60 years, and leaseholders of lands of the clear yearly value of 50*l.* whose leases were originally created for a term of not less than 20 years, are now also entitled to vote; so, also, are all persons who occupy as tenants any lands or tenements for which they are *bonâ fide* liable to a yearly rent of not less than 50*l.*, subject, nevertheless, to this proviso, that no person being only a sub-lessee, or the assignee of any under-lease, shall have a right to vote in respect of any such term of 60 or 20 years, unless in actual occupation of the premises.

The charges of which the lands are to be clear do not, it should be observed, include public or parliamentary taxes, church, county, or parochial rates.

Mortgagees and trustees are not entitled to vote in respect of their trust estates, unless in actual possession, or receipt of the rents and profits [to their own use, as it should seem, § 26]; nor is any freeholder entitled to vote in a county election in respect of lands and premises in his own occupation, which do or might confer on him the right of voting for any city or borough; and no copyholder, leaseholder, or other tenant, can vote in a county election in respect of lands and premises which do or might confer on him, *or any other person*, the right of voting for any city or borough.

Before any person can vote at the election of knights of the shire, he must have been duly registered; and no freeholder, copyholder,

customary tenant, or tenant in ancient demesne, is to be so registered in respect of any lands, unless he have been in actual possession, or in receipt of the rents and profits for his own use for six calendar months, at the least, previous to the last day of July in such year; and no such leaseholder, occupier, or tenant, is to be so registered in respect of any lands he may so hold, unless he shall have been in actual possession, or in the receipt of the rents and profits for his own use for 12 calendar months, at the least, next previous to the last day in July in such year. All lands or tenements, however, which may come to any person at any time within the above-mentioned periods by descent, succession, marriage, marriage settlement, or promotion to any benefice in the church, or any office, are excepted; and for these a person may have his name registered as a voter at any time, however short his possession.

Whatever may be the amount of property which a person possesses in any one county, it confers only a single vote: the same person may, however, possess votes for different counties, if he have lands of a sufficient value within each.

Qualification of Electors in Boroughs. — The qualification of electors in cities and boroughs depends on different principles. The prevalent qualification in corporate cities or towns was formerly the freedom of the place; but it differed according to their respective charters, customs, and constitutions. In some, the right of voting resided in the freemen or liverymen; in others, it was vested in the occupiers of certain ancient tenements called burgage tenements; and in others, again, all who occupied a house, or even an apartment in a house, were entitled to vote. The Reform Act abolished the greater number of these qualifications for the future; but it preserved entire the rights of the then existing voters. At present, therefore, no person is entitled to vote in the election of members for any city or borough, except in respect of some right conferred by the Reform Act, or as a burgess or freeman, or (in the case of a city or town being a county of itself) as a freeholder or burgage tenant: provided, nevertheless, that all the *present* electors (*i. e.* persons who, at the passing of the Act on 7th June, 1832, were electors) shall continue during their lives to exercise their right, at least if they so long remain qualified, according to the usage or custom of their respective cities or boroughs, or according to any law then in force, and shall also duly comply with the provisions of the Act in regard to registration: but no person is to be registered in any year unless he shall, on the last day of July in such year, be qualified in such manner as would entitle him to vote if such day were the day of election, and the Act had not been passed; nor unless such person (where his qualification shall be in any city or borough) shall have resided therein for six calendar months next previous to the last day of July in such year, or within seven statute miles of the place where the poll has theretofore been taken; nor unless such person (where his qualification should be within any place sharing in the election for any city or borough) shall have resided for six calendar months within such place, or within seven statute miles of the place sharing in the election; and if any person neglect to have his name registered in respect of his reserved franchise for two successive years

it is lost for ever, unless such omission arise in consequence of the elector having received parochial relief, or in consequence of absence in his Majesty's naval or military service.

Under the new franchise, which is the only franchise in the boroughs created by the Reform Act, and which is given to all the older ones (with the exception of the Universities of Oxford and Cambridge, in which no change was made) in addition to the other franchises previously existing, all persons who occupy within any city or borough, as owners or tenants, any house, shop, or other building, being, either separately or jointly with any land within such place, also occupied by them as owners or tenants under the same landlord, of the clear yearly value of not less than 10*l.*, are, if duly registered, entitled to vote in the election of a member or members for such city or borough; and it is further enacted, that persons, being the *joint* occupiers or owners of premises within a city or borough, shall each be entitled to vote, provided the clear yearly value of the premises when divided among them give to each a sum of not less than 10*l.*:* no person, however, is entitled to be registered in any year unless he has occupied or owned such premises for 12 calendar months previous to the last day of July in such year, nor unless such person (where such premises are situate in any parish or township in which there shall be a rate for the relief of the poor) shall have been rated in respect of such premises, nor unless he shall have paid, on or before the 20th day of July in such year, all the poor rates and assessed taxes which may have become due in respect of such premises previously to the 6th day of April then next preceding. It is also necessary for the voter to have resided in the place for which he claims to vote six months previously to the 6th day of July in such year, or within seven statute miles thereof. It is not necessary, however, for him to have resided the whole of the time on the same premises; it is sufficient if the premises are within the borough, and have been occupied in immediate succession, and that all the rates and taxes have been paid. If persons are omitted in the rate, the Act gives them a power to insist on being rated; with this proviso, that, where under any Act of Parliament the landlord is liable for the poor's rate, the fact of rating the tenant, though the tenant insist on being so rated, shall not be taken to exempt the landlord from his liability in case the tenant fail to pay.

The Act also declares, that in every city or town being a county of itself, in the election of members for which freeholders or burgage tenants either with or without any superadded qualification, have a right to vote, every such freeholder or burgage tenant shall have a right to vote, if duly registered: but no person is to be registered in any year in respect of any freehold or burgage tenement, unless he shall have been in actual possession, or in receipt of the rents and profits thereof, for 12 calendar months next previous to the last day

* This is one of the clauses under which fictitious voters are most easily manufactured. Ten individuals, the partisans of a particular family or candidate, join together and buy (or perhaps receive as a *douceur*) a house or other property in a borough worth 100*l.* a-year, and become, by so doing, vested with the franchise, and yet not one of them may be resident within the borough or have any interest in it: an abuse of this sort should be put an end to.

of July in such year (except where the same shall have come to him by descent, succession, marriage, marriage settlement, demise, or promotion to any benefice in the church, or to any office); nor unless he shall have resided for 6 calendar months, previous to the last day of July in such year, within such city or town, or within 7 statute miles of it.

The Act also makes it necessary that all burgesses or freemen, or freemen and liverymen, shall be duly registered; but no such person is to be so registered unless he shall, on the last day of July in each year, be qualified in such manner as would entitle him then to vote if such day were the day of election; nor unless he shall have resided for 6 calendar months, next previous to the last day of July in such year, within such place, or within 7 statute miles of the place where the poll has theretofore been taken. No person, however, elected or admitted a burgess or freeman since the 1st day of March, 1831, otherwise than in respect of birth or servitude, is to be entitled to vote as such, or to be registered; nor is any person to be so entitled as a burgess or freeman in respect of birth, unless his right be originally derived from or through some person who was a burgess or freeman, or entitled to be admitted as such, previous to the 1st day of March, 1831, or from or through any person who since that time has become a burgess or freeman in respect of servitude. Neither is any person to vote in the election of members for any city or borough (other than a city or town being a county of itself, in the election for which freeholders or burgage tenants have a right to vote) in respect of any estate or interest in any burgage tenement or freehold acquired by him since the 1st day of March, 1831, unless the same shall have come to or been acquired by such person since that day and previous to the passing of the Act, by descent, succession, marriage settlement, or promotion to any benefice in the church, or to any office. It is also provided, that no person shall be registered as a voter, who shall, within 12 calendar months next previous to the last day of of July in such year, have received parochial relief or other similar alms.

Subject to these alterations, all the previous laws relating to the qualifications and disqualifications of electors remain in force. Neither was any alteration made in the representation of the Universities. In these the qualification of the electors consists in their having taken the degree of Master of Arts, and being members of the convocation or senate.

Registration.—With respect to the lists of county voters, the overseers and churchwardens of every parish are charged with the duty of preparing them every year from claims sent to them by the parties, and from the register of the past year. The lists so prepared are exhibited to public view, and the persons named in them are liable to be objected to either by the parish officers or by third parties.

At the same time of the year, the parish officers and town clerks of cities and boroughs prepare lists of their several electors, which are, in like manner, exposed to public view, that objections may be made or claims put in by those who have been omitted.

Revision of the Lists.—During the summer circuits in every year, barristers are appointed, in Middlesex by the Lord Chief Justice; and

in the other counties by the senior judge of assize, to revise the lists of the borough and of the county voters. These barristers make their circuits (of which they are required to give due notice) between the 15th of September and the 25th of October. The lists prepared by the parish officers are then submitted to them, in the counties by the clerks of the peace, and in the boroughs and cities by the town clerks and parish officers. Persons duly objected to are then obliged to establish their qualifications by evidence; and those who claim to be inserted in the list must show themselves entitled to be placed on it. The barristers expunge or insert the names accordingly, and sign the corrected lists. These lists, so settled by the revising barristers, are transmitted (if for a county) to the clerks of the peace, for the purpose of being copied and formed into a methodical register of county electors. The lists of the voters in cities or boroughs are delivered to the returning officers, whose duty it is to copy them in like manner in the form of registers. The lists so copied constitute the registers of electors qualified to vote at any election between the 1st day of November in the year in which such registers shall have been made, and the 1st day of November in the succeeding year.

All expenses incurred by the clerk of the peace of any county or district in causing the lists to be copied out and made into a register or otherwise, are to be defrayed by the treasurer of the county or district, the account having been first laid before the justices at the quarter sessions. The expenses of the revising barristers are paid by the Treasury.

2. *Qualification of Representatives.* — The same circumstances, speaking generally, which disqualify a person from being an elector, disqualify him, also, from being a representative; with this addition, that an alien cannot, even though naturalised, sit in parliament. The judges of the courts of law, with the exception of the Master of the Rolls, are specially disqualified: and this, also, is the case with clergymen; contractors with government; bankrupts; commissioners of excise, customs, and stamps; and a long list of functionaries engaged in the collection of the revenue, in the administration of justice, and in the various departments of the public service. It is now, indeed, become a common practice on creating an office to attach to it such disqualification. But, though reasonable, this jealousy of the Crown is of modern growth, for, at common law, official service under the Crown was not supposed to render a person unfit to represent his fellow-subjects, unless the service were incompatible with his attendance in the House of Commons. Persons convicted of bribery at any election, or of treating the electors, are also incapable of sitting in that parliament. But, with these peculiar exceptions, all persons may sit in parliament of common right; provided, 1st, they engage, "on the true faith of a Christian," to abstain from all designs hostile to the Church (a condition which excludes Jews); and, 2nd, that they have the qualification required by the 1 and 2 Victoria, c. 48, or that they are possessed of 600*l.* a-year, arising out of real or personal property, or both, if knights of the shire, and 300*l.* a-year if burgesses. If a person not so qualified be elected and returned, the return is void. These qualifications, however, are not required in

the case of the eldest sons of peers, of persons qualified to be knights of the shire, or of members for the Universities. The right of the latter to send members is of comparatively recent origin. There is, indeed, an instance in the reign of Edward I., when writs were issued to Oxford and Cambridge requiring the former to send four or five, and the latter two or three, of their most discreet and learned lawyers, to a parliament summoned to consider of that king's title to the crown of Scotland. But it was not till the reign of James I. that the Universities obtained the privilege of each regularly returning two members.

3. *Method of holding an Election.*—Thirdly, and lastly, we have to consider the method of holding an election: for this purpose let us suppose that parliament is dissolved, and that the usual summons calling a new one, has been issued. This is effected by a warrant, or bill, signed by the King, addressed to the Lord Chancellor or the Lord Keeper of the Great Seal as the case may be, directing him on the receipt of it to cause the usual number of writs to be made out and sealed under the great seal; and this he is required to do, by statute, without delay. Between the dates of the writs so to be issued, and the time of their return, a space of 40 days must intervene. The writs, however, are only issued by the Chancellor on the first summons of the parliament; if a vacancy occur during the sitting of parliament, a warrant issues from the speaker under the order of the House, to the clerk of the Crown in Chancery, directing him to issue a new writ for the election of a member to fill up the vacancy. The Speaker is also empowered by statute, during any recess for the space of 20 days or more, whether under prorogation or adjournment, in case any vacancies occur, on certificate thereof being made to him by two members, to issue his warrant in like manner for filling them up; and, to obviate any inconvenience that might occur from the death of the Speaker, his seat becoming vacant, or his absence from the realm, he is to nominate a certain number of members to execute the powers given to him by the Act. The writs thus issued are directed to the sheriffs of the different counties, who, on their receipt, send precepts under their seals, to the proper returning officers of the cities and boroughs within their respective counties, commanding them to elect their members.

The returning officers in the new boroughs are paid by the Act; being usually the mayors (if any) of their respective boroughs.

In the counties palatine the writ is not issued directly to the sheriff, but to an intermediate officer. In the Cinque Ports it is directed to the lord warden.

County elections must be proceeded with by the sheriffs in person: the writ itself does not direct the time, place, or manner of election with minuteness; but these are supplied by several statutes, which ordain, that the sheriff shall, within two days after the receipt of the writ, cause proclamation to be made, at the usual place of election, of a special county court, to be holden there for the purpose of such election only, on any day (except Sunday), not later than the 16th day, nor earlier than the 10th, from the day of making such proclamation. This court, when held for the election of knights of the shire, must be convened at the most usual place.

The election of members for cities and boroughs must take place within eight days from the receipt of the precept, four days' notice being previously given. The persons chosen are to be returned with the precept to the sheriffs.

When the time and place of election either for counties or boroughs have been fixed, all soldiers quartered in the place are removed, at least one day before the election, to the distance of two miles or more, and are not permitted to return till one day after the poll has ended. The House of Commons, to whom alone belongs the determination of contested elections, has voted that no lord of parliament or lord lieutenant of a county shall interfere in the election of commoners; and the lords lieutenant of counties have been debarred by statute from recommending any persons for members. But everybody knows that no attention is paid, or, indeed, could rationally be expected to be paid, to these regulations and enactments. Most peers interfere by means of their agents, and others in their confidence, in county and borough elections; and notwithstanding the changes effected by the Reform Act, the members for several counties and boroughs are now, as formerly, the nominees of peers. It is further enacted, that if any officer of the excise, customs, stamps, or certain other branches of the revenue, presume to intermeddle in elections, by persuading or dissuading any voter, he shall forfeit 100*l.*, and be disabled from holding his office. It has also been enacted, that no candidate shall, after the date, or *teste*, as it is called, of the writs, or the issue of the summons, or after any vacancy (if the parliament be sitting), give any money or entertainment to the electors, or promise to give any in order to his being elected, on pain of being incapable to serve for that constituency in that parliament. And if any money, gift, office, employment, or reward be given to any voter, at any time, in order to influence him to give or withhold his vote, he that takes and he that offers such bribe, respectively, forfeits 500*l.*, and is for ever disabled from voting and holding any office in any corporation, unless, before conviction, he shall discover some other offender of the same kind, and then he is indemnified for his own offence.

On the day fixed for the election, the returning officer first takes an oath against bribery, and for the due execution of his office. It is then usual, in cases where a contest is expected, for the persons intending to be candidates to be proposed by their respective friends; after which they usually address the electors. The returning officer then requires a show of hands on behalf of each candidate, and declares in whose favour it appears to be. If any of the candidates who are in the minority upon the show of hands are dissatisfied with the result, they may demand a poll. It may here be proper to observe, that a candidate is not precluded from offering himself because he is not put in nomination the first day: a new one may be proposed at any time during the poll; but the electors who have once given their suffrages cannot retract or alter them in consideration of that or any other circumstance.

The Method of Polling.—The polling is to commence at nine in the forenoon of the next day but two after the day fixed for the election (unless such next day be a Saturday or Sunday, in which case it is to

commence on the Monday following), at the principal place of election, and at the several places to be appointed throughout the county or division; and such polling is to continue for two days only, being successive days, for seven hours on the first day, and eight hours on the second day of polling: no poll is to be kept open later than four in the afternoon of the second day. For the purpose of more conveniently taking the poll, the counties and divisions of counties are divided into districts, and in each district a convenient place is appointed for taking the poll. These districts and places were pointed out by an Act passed in the same session as the Reform Act, which has since undergone some amendments.

The sheriff is empowered to appoint deputies to preside, and clerks to take the poll, at the principal place of election, and also at the places of polling. The poll-clerks at the close of each day's poll inclose and seal their books, and publicly deliver them to the sheriff, under-sheriff, or deputy presiding, who gives a receipt for the same, and on the commencement of the second day's poll delivers them back so inclosed and sealed, to the persons from whom he received them. On the final close of the poll, every such deputy delivers the poll-books so inclosed and sealed to the sheriff or under-sheriff, who receives and keeps them unopened until the re-assembling of the court on the day next but one after the close of the poll (unless the next day but one be Sunday, and then on the Monday following), when he breaks the seals, casts up the number of votes, declares the state of the poll, and makes proclamation of the members chosen.

In all matters relative to the election of knights of the shire, the sheriff, his under-sheriff, or any lawful deputy may act in all places having any exclusive jurisdiction as if they were part of such sheriff's jurisdiction.

The method of taking the poll in cities and boroughs is nearly similar to that in the counties; but the Act 5 and 6 William IV., cap. 36, limits the polling in them to one day, the poll to commence at 8 o'clock in the morning, and to close at 4 o'clock in the afternoon.

If riot or violence occur, whether in counties or boroughs, the sheriff or other returning officer, or his deputy, may adjourn the poll until the day following, and so from day to day until the disturbance ceases; and the days on which the adjournment takes place are not to be reckoned.

The booths are erected at the joint expense of the candidates; but, to prevent imposition, it is enacted, that the cost of a booth erected for a county election shall not exceed 45*l.*, and that of a booth erected for a city or borough election, 25*l.* The deputies also, appointed by the returning officer, are to be paid two guineas each, and the clerks one guinea, at the expense of the candidates.

All inquiry and discussion with regard to the qualification of the voter at the time of the election, is done away with. The only questions to be asked are—"Whether he is the same person whose name appears on the register? Whether he has already voted at that particular place or elsewhere, for the same county or borough? and whether he continues to have the qualification for which his name was originally inserted as a voter?" It is an indictable misdemeanor to answer these

questions falsely. The returning officer or his deputy may also, if called upon by any candidate, administer an oath or affirmation to the same effect; but no other oath, at least as to the voter's right of franchise, is permitted: the oath or affirmation, however, against bribery, &c., remains unaltered. Scrutiny before the returning officer is also abolished: any person, however, whose name may have been omitted from any register of voters by the decision of the barrister revising the lists, may tender his vote at an election, and the returning officer or his deputy is bound to enter upon the poll-book every vote so tendered; distinguishing the same from votes admitted and allowed. Upon a petition to the House of Commons complaining of an undue election, the correctness of the register may be impeached, and the name of any person improperly inserted, or improperly omitted, in consequence of the wrong decision of the revising barrister, may, upon the report of the committee appointed to inquire into the petition, be ordered to be omitted or inserted as the case may require; and the return may either be amended, or the election declared void, or such other order made as may seem proper.

The election being closed, the returning officer in boroughs returns his precept to the sheriff with the persons elected, which he must do six days, at least, before the return of the writ. The sheriff then returns the whole, together with the writ for the county and the knights elected thereupon, to the clerk of the crown in chancery, before the day of the meeting, if it be a new parliament, or within 14 days of the election, if it be an occasional vacancy. The certificate of election is required to be the same both in county and borough elections: it consists of indentures under the seals of some of the electors, and of the returning officer, who seals a counterpart. This practice has been constantly complied with, and seems analogous to proceedings upon inquisition before the sheriff and coroner, who return their inquests under seal. Any other mode of making a return has been held bad, though it admits of amendment.

If the sheriff do not return such knights as are duly elected, he forfeits, by the old statutes of Henry VI., 100*l*; and the returning officer in boroughs for a like false return, 40*l*.; and they are, besides, liable to an action in which double damages may be recovered. Any person bribing the returning officer forfeits also 300*l*. But the members returned by him are the sitting members, until the House of Commons, upon petition, adjudge the return to be false or illegal. The form and manner of proceedings on these petitions will be noticed afterwards, in reference to the proceedings of the House.

It is a settled principle that a member, when once duly elected and returned, cannot resign nor be discharged; and that he can only vacate his seat by death, or by the acceptance of some office of profit under government, elevation to the peerage, or expulsion. But in practice this difficulty is easily obviated by members who wish to resign applying for the stewardship of the Chiltern Hundreds, an all but nominal office, the acceptance of which vacates the seat of the party receiving it. In ordinary cases this office is always given to any member who asks for it; and is resigned as soon as the purpose for which it was sought, or the vacating of his seat, has been effected.

A Scotch or Irish peerage does not disqualify a person from sitting in the House of Commons.

The House of Commons claim a right to expel members for disgraceful or otherwise improper conduct. But if the party so expelled be re-elected, the House cannot prevent him from taking his seat, provided he be duly qualified and take the oaths. This point was finally settled in the famous case of Wilkes, in the earlier part of the reign of George III.

If a person be elected for two places, as sometimes happens, he may choose for which he will serve, and a new writ issues for the other; but a member who has once taken his seat, cannot resign it (except by the fiction of the Chiltern Hundreds) for the purpose of being elected for another place.

Privileges of Members of Parliament.—It remains only to say a few words on the privileges of members of Parliament, the most important of which is their exemption from arrest. This is to be considered, however, as extending only to arrest on civil process, as for debt, trespass, or contract; not for treason, felony, or breach of the peace, within which term is included the publication of libels; neither is a member protected against being compelled, by process of the courts at Westminster, to obey a writ of habeas corpus, or other prerogative writ, directed to him: it has also been determined, that privilege of Parliament forms no ground of exemption from arrest for contempt in disobeying a decree of the Court of Chancery.

Peers, however, it should be observed, enjoy this privilege in right of their peerage, and not as lords of Parliament; all peers, therefore, whether Scotch or Irish, are alike entitled to it. Members of the House of Commons enjoy it only during the actual session of Parliament, and 40 days before and after, to allow them sufficient time to come and go, which, as Parliament is seldom prorogued for more than fourscore days at a time, amounts, in fact, to the whole continuance of one Parliament.

The same regard for the person and character of a peer or member of Parliament makes it a high offence to assault or slander him; and the Houses have frequently taken upon themselves to punish such offenders, where the injury offered is a violation of their known privileges. Reprimand, or commitment to custody have been the ordinary modes of punishment; but the extent of the powers of punishment, and the limits of their jurisdiction, have been the subjects of dispute and discussion continually recurring, and still unsettled.

Changes effected in the Places returning Members by the Reform Act.—The form of a writ of summons, which directs the sheriff to make representatives be returned from every city and borough within his bailiwick, would seem to imply a power, if not a duty, to include in his return any new boroughs that should from time to time grow into importance; and such originally was in fact the case, new towns being received into the legislative assembly without any apparent resort to the Parliament for the purpose of sanctioning their enfranchisement; at the same time that boroughs which had fallen into decay were not unfrequently omitted in the sheriff's returns.*

* Heywood on Borough Elections, p. 37.

The Act 5 Rich. II., s. 2, c. 4, levelled at the partiality of sheriffs, rendered it thenceforth illegal to omit any place which had been accustomed to be summoned to Parliament; and the Acts of Union with Scotland and Ireland, by fixing the number of members to be sent by each part of the United Kingdom, have been considered as virtually determining the prerogative of summoning any new boroughs.* Hence it is that, down to the Reform Act, few changes were effected in the representative system since the Revolution, and none without the interference and authority of the Parliament. But the important statute now referred to, made very great changes in the distribution of county members and in the boroughs by which burgesses are returned to Parliament. It wholly disfranchised the following small boroughs:—

Aldborough,	Downton,	Milborne Port,	Stockbridge,
Aldeburgh,	Dunwich,	Minehead,	St. Germains,
Amersham,	East Grimstead,	Newport,	St. Mawe's,
Appleby,	East Looe,	Newtown,	St. Michael's, or
Beeralston,	Fowey,	Newton,	Midshall,
Bishops' Castle,	Gatton,	New Romney,	Tregony,
Blechingley,	Great Bedwin,	Okehampton,	Wendover,
Boroughbridge,	Haslemere,	Old Sarum,	Weobly,
Bossiney,	Hedon,	Orford,	West Looe,
Bramber,	Heytesbury,	Plympton,	Whitchurch,
Brackley,	Higham Ferrers,	Queenborough,	Winchelsea,
Callington,	Hindon,	Saltash,	Wootton Basset,
Camelford,	Ilchester,	Seaford,	Yarmouth, Isle of
Castle Rising,	Lostwithiel,	Steyning,	Wight.
Corfe Castle,	Ludgershall,		

Other boroughs, again, were deprived of one of their members: these were,—

Arundel,	Great Grimsby,	Midhurst,	Thirsk,
Ashburton,	Helston,	Morpeth,	Wallingford,
Calne,	Horsham,	Northallerton,	Wareham,
Christchurch,	Hythe,	Petersfield,	Westbury,
Clitheroe,	Launceston,	Reigate,	Wilton,
Dartmouth,	Liskeard,	Rye,	Woodstock.
Droitwich,	Lyme Regis,	Shaftesbury,	
Eye,	Malmesbury,	St. Ives,	

Of the 142 members thus taken away, 65 were given to counties, including the Isle of Wight; and the remainder, with the exception of 13, were given to the following places, viz.:—

Two Members each,

Birmingham,	Finsbury,	Manchester,	Stroud,
Blackburn,	Greenwich,	Mary-le-bone,	Sunderland,
Bolton,	Halifax,	Oldham,	Tower Hamlets, and
Bradford,	Lambeth,	Sheffield,	Wolverhampton.
Brighton,	Leeds,	Stockport,	
Devonport,	Macclesfield,	Stoke-upon-Trent,	

One Member each,

Ashton-under-Lyne,	Frome,	Merthyr Tydvil,	Wakefield,
Bury,	Gateshead,	Rochdale,	Walsall,
Chatham,	Huddersfield,	Salford,	Warrington,
Cheltenham,	Kendal,	South Shields,	Whitby, and
Dudley,	Kidderminster,	Tynemouth,	Whitehaven.

* See, however, *Palgrave's Right of Dormant Boroughs.* Lond. 1830.

Besides these alterations, other boroughs were extended so as to increase the elective body.

The 13 members unaccounted for in the above summary were transferred, 8 to Scotland, and 5 to Ireland.

Account of the Counties of England and Wales which send Members to Parliament, of the Number of Members sent by each, the Population of each County in 1841, *deducting that of the Boroughs returning Members, the Number of Registered Electors in each County in* 1845–6, *and the Number of Polling-places.*

Counties.	Population of Counties in 1841, deducting the Population of the Boroughs sending Members to House of Commons.	Number of Members.	Registered Electors in 1845.	Number of Polling Places.
England.				
Bedford	99,358	2	4,287	7
Berks	120,304	3	5,192	8
Bucks	78,524	3	5,733	4
Cambridge	141,004	3	7,090	9
Chester	290,022	..	..	..
Northern division	..	2	6,889	7
Southern division	..	2	7,949	10
Cornwall	286,207	..	..	..
Eastern division	..	2	6,197	9
Western division	..	2	5,212	4
Cumberland	134,962	..	..	..
Eastern division	..	2	5,107	9
Western division	..	2	3,993	5
Derby	239,810	..	..	..
Northern division	..	2	5,547	9
Southern division	..	2	7,167	8
Devon	377,941	..	..	..
Northern division	..	2	8,494	11
Southern division	..	2	10,191	7
Dorset	125,758	3	6,094	8
Durham	219,104	..	..	..
Northern division	..	2	6,119	8
Southern division	..	2	5,681	8
Essex	318,749	..	..	..
Northern division	..	2	5,366	7
Southern division	..	2	5,366	7
Gloucester	213,262	..	..	..
Eastern division	..	2	7,803	13
Western division	..	2	7,601	11
Hereford	97,665	3	7,871	7
Herts	145,498	3	5,430	11
Huntingdon	53,049	2	3,047	2
Kent	375,467	..	..	..
Eastern Division	..	2	7,251	5
Western division	..	2	9,271	9
Lancaster	737,257	..	..	..
Northern division	..	2	10,710	11
Southern division	..	2	24,179	12
Leicester	165,502	..	..	..
Northern division	..	2	4,146	4
Southern division	..	2	5,455	5

Account of the Counties of England and Wales which send Members to Parliament, &c.—continued.

Counties.	Population of Counties in 1841, deducting the Population of the Boroughs sending Members to House of Commons.	Number of Members.	Registered Electors in 1845.	Number of Polling Places.
England—continued.				
Lincoln	311,705	..	..	..
Parts of Holland and Kesteven	..	2	9,163	9
Parts of Lindsey	..	2	11,398	13
Middlesex	263,766	2	13,400	12
Monmouth	116,759	2	4,614	7
Norfolk	304,537	..	..	..
Eastern division	..	2	8,507	6
Western division	..	2	7,510	6
Northampton	171,600	..	..	..
Northern division	..	2	4,031	5
Southern division	..	2	4,715	4
Northumberland	135,945	..	..	..
Northern division	..	2	3,004	6
Southern division	..	2	5,260	7
Nottingham	144,119	..	..	..
Northern division	..	2	3,650	4
Southern division	..	2	3,469	6
Oxford	123,384	3	5,384	4
Rutland	21,302	2	1,914	1
Salop	194,484	..	..	..
Northern division	..	2	4,735	8
Southern division	..	2	3,692	9
Somerset	347,356	..	..	..
Eastern division	..	2	9,655	10
Western division	..	2	8,433	8
Southampton	240,842	..	..	..
Northern division	..	2	3,353	8
Southern division	..	2	5,687	8
Isle of Wight	..	1	..	..
Stafford	296,673	..	..	..
Northern division	..	2	9,438	13
Southern division	..	2	8,545	14
Suffolk	265,170	..	..	..
Eastern division	..	2	6,677	9
Western division	..	2	4,819	8
Surrey	232,306	..	..	..
Eastern division	..	2	6,028	7
Western division	..	2	3,778	7
Sussex	171,824	..	..	..
Eastern division	..	2	5,503	8
Western division	..	2	3,453	7
Warwick	181,296	..	..	..
Northern division	..	2	6,126	10
Southern division	..	2	3,926	6
Westmoreland	44,935	2	4,136	7
Wilts	168,540	..	..	..
Northern division	..	2	5,340	6
Southern division	..	2	2,755	4
Worcester	142,155	..	..	..
Eastern division	..	2	6,307	4
Western division	..	2	4 357	9

Account of the Counties of England and Wales which send Members to Parliament, &c.—continued.

Counties.	Population of Counties in 1841, deducting the Population of the Boroughs sending Members to House of Commons.	Number of Members.	Registered Electors in 1845.	Number of Polling Places.
England—continued.				
York—				
East Riding	129,026	2	7,577	8
North Riding	163,139	2	11,897	14
West Riding	734,825	2	36,084	25
Total England	9,125,131	144	468,258	542
Wales.				
Anglesey	40,516	1	2,465	4
Brecon	50,286	1	2,548	6
Cardigan	57,470	1	2,312	4
Caermarthen	90,105	2	5,261	8
Caernarvon	61,503	1	2,319	4
Denbigh	73,478	2	3,939	7
Flint	46,643	1	3,158	5
Glamorgan	83,973	2	5,471	7
Merioneth	39,332	1	1,180	5
Montgomery	51,318	1	3,065	5
Pembroke	66,586	1	3,450	7
Radnor	18,937	1	1,924	7
Total Wales	680,147	15	37,092	69
Total England and Wales	9,805,278	159	505,350	611

Account of the Counties of Scotland which send Members to Parliament, of the Number of Members sent by each, the Population of each County in 1841, *deducting that of the Boroughs returning Members, and the Number of Registered Electors in* 1845.

Counties.	Number of Members.	Population of Counties in 1841, deducting the Population of Boroughs sending Members to House of Commons.	Registered Electors in 1845.	Counties.	Number of Members.	Population of Counties in 1841, deducting the Population of Boroughs sending Members to House of Commons.	Registered Electors in 1845.
Aberdeen	1	122,561	3,540	Kincardine	1	32,211	796
Argyll	1	88,099	1,803	Kirkcudbright	1	88,101	1,274
Ayr	1	121,896	4,203	Lanark	1	140,135	3,696
Banff	1	42,806	808	Linlithgow	1	21,630	593
Berwick	1	33,290	1,207	Orkney and Shetland	1	58,019	552
Bute	1	15,740	420	Peebles	1	10,499	727
Caithness	1	30,821	567	Perth	1	110,324	4,034
Clackmannan, Kinross, &c.	1	36,446	1,388	Renfrew	1	62,777	2,334
Dumbarton	1	39,905	1,265	Roxburgh	1	42,748	2,032
Dumfries	1	53,790	2,240	Ross and Cromarty	1	72,190	798
Edinburgh	1	56,789	2,158	Selkirk	1	7,990	607
Elgin and Nairn	1	33,608	720	Stirling	1	60,937	2,569
Fife	1	89,599	2,535	Sutherland	1	24,334	170
Forfar	1	64,943	2,461	Wigtown	1	30,944	1,070
Haddington	1	28,122	628				
Inverness	1	86,231	887	Total	30	1,657,485	48,082

Account of the Counties of Ireland which send Members to Parliament, of the number of Members sent by each, the Population of each County, in 1841, *deducting that of the Cities and Boroughs returning Members, and the number of Registered Electors on* 1st *February,* 1846.

Counties.	Number of Members.	Population of Counties in 1841, deducting the Population of the Boroughs sending Members to the House of Commons.	Registered Electors on the 1st February, 1846.	Counties.	Number of Members.	Population of Counties in 1841, deducting the Population of the Boroughs sending Members to the House of Commons.	Registered Electors on the 1st February, 1846.
Antrim	2	220,347	6,410	Londonderry	2	200,769	4,634
Armagh	2	222,146	2,355	Longford	2	115,491	1,161
Carlow	2	75,810	1,785	Louth	2	99,128	1,165
Cavan	2	243,153	1,392	Mayo	2	388,887	1,331
Clare	2	277,076	2,110	Meath	2	183,828	1,484
Cork	2	716,080	4,248	Monaghan	2	200,442	1,269
Donegal	2	296,448	806	Queen's	2	150,824	1,255
Down	2	343,353	2,364	Roscommon	2	254,539	1,097
Dublin	2	134,242	3,377	Sligo	2	166,684	843
Fermanagh	2	150,795	2,200	Tipperary	2	414,021	2,437
Galway	2	407,697	1,868	Tyrone	2	309,136	4,638
Kerry	2	232,517	1,606	Waterford	2	154,517	925
Kildare	2	114,488	1,123	Westmeath	2	134,907	1,192
Kilkenny	2	178,7 9	1,218	Wexford	2	183,238	2,021
King's	2	146,857	1,402	Wicklow	2	126,143	1,697
Leitrim	2	155,297	1,415				
Limerick	2	264,738	1,785		64	7,370,388	63,273

Account of the Area, and of the Population of the Parliamentary Boroughs in Ireland in 1841; *with the Inhabited Houses in each, the Number of Inhabitants to each House, the Representatives for each Borough, and the Electors for the same on the* 1st *February,* 1846.

Towns.	Counties.	Area in Statute Acres.	Total Number of Males and Females.	Inhabited Houses.	Number of Inhabitants to each House.	Representatives for Parliamentary Boroughs.	Electors in each Parliamentary Borough on the 1st February, 1846.
Armagh	Armagh	269	10,245	1,493	6·862	1	649
Athlone	Roscommon and Westmeath	491	6,398	974	6·568	1	274
Bandonbridge	Cork	447	8,275	1,189	7·012	1	468
Belfast	Antrim	1,301	68,625	9,207	8·910	2	8,998
Carlow, including Graigue	Carlow and Queen's.	572	10,409	1,514	6·875	1	535
Carrickfergus		16,700	9,379	1,563	6·000	1	1,053
Cashel	Tipperary	4,018	8,027	1,241	6·468	1	319
Clonmel	Tipperary and Waterford	331	13,505	1,455	9·281	1	539
Coleraine	Londonderry	963	6,255	1,182	5·526	1	395
Cork	Cork	48,006	106,055	12,652	8·382	2	4,568
Downpatrick	Down	1,497	4,866	852	5·711	1	339
Drogheda	Louth	5,790	19,280	3,602	5·347	1	747
Dublin	Dublin	4,854	238,531	20,758	11·491	2	29,704
Dundalk	Louth	450	10,702	1,798	5·996	1	593
Dungannon	Tyrone	230	3,861	589	6·453	1	678
Dungarvon	Waterford	8,499	12,362	1,729	7·161	1	489
Ennis	Clare	484	9,318	1,319	7·064	1	216
Enniskillen	Fermanagh	210	5,686	771	7·374	1	428
Galway	Galway	24,133	32,511	4,755	6·837	2	1,511
Kilkenny	Kilkenny	17,012	22,225	3,788	6·226	1	450
Kinsale	Cork	220	6,918	1,007	6·869	1	335
Limerick	Limerick	33,863	65,296	7,900	8·265	2	2,034
Lisburn	Antrim and Down	1,964	7,524	1,071	7·025	1	498
Londonderry	Londonderry	497	15,159	2,100	7·214	1	1,704
Mallow	Cork	378	6,851	948	7·272	1	371
New Ross	Wexford	544	7,543	1,129	6·681	1	315
Newry	Armagh and Down	2,543	13,227	2,127	6·189	1	1,068
Portarlington	King's and Queen's	915	3,106	516	6·019	1	200
Sligo	Sligo	3,081	14,316	2,349	6·095	1	981
Tralee	Kerry	548	11,363	1,422	7·990	1	435
Waterford	Waterford	10,659	27,283	3,929	7·471	2	1,775
Wexford	Wexford	762	11,252	1,807	6·226	1	466
Youghal	Cork	504	9,939	1,283	7·746	1	472
University, Dublin.	Dublin.	..	..	..	..	2	1,700
	Total	191,602	804,705	99,955	8·050	41	65,757

Account of the Population of the Cities and Boroughs which send Members to Parliament in England and Wales in 1841; *the Number of Members sent by each; and the Number of Registered Electors in each in* 1842-43.

Parliamentary Cities and Boroughs.	County.	Population in 1841.			Number of Members.	Number of Registered Electors in 1842-3.
		Males.	Females.	Total.		
Abingdon	Berks	2,575	2,927	5,502	1	315
Alban's, St.	Herts	2,770	3,476	6,246	2	341
Andover	Hants	2,382	2,015	4,397	2	240
Arundel	Sussex	1,248	1,335	2,583	1	230
Ashburton	Devon	1,811	2,030	3,841	1	270
Ashton-under-Lyne	Lancaster	10,636	11,878	22,514	1	724
Aylesbury	Bucks	27,811	28,953	56,764	2	1,601
Banbury	Oxford	3,535	3,564	7,199	1	393
Barnstaple	Devon	4,403	5,856	10,259	2	762
Bassetlaw (see Retford East)	Notts					
Bath City	Somerset	21,899	30,447	52,346	2	2,055
Bedford	Bedford	3,906	4,672	8,578	2	1,136
Berwick-upon-Tweed	Northumberland	5,680	6,898	12,578	2	769
Beverley	East York	3,961	4,448	8,409	2	1,122
Bewdley	Worcester	3,566	3,892	7,458	1	486
Birmingham	Warwick	97,483	93,633	181,116	2	6,129
Blackburn	Lancaster	17,684	18,502	36,186	2	910
Bodmin	Cornwall	2,892	3,073	5,601	2	465
Bolton	Lancaster	24,548	25,621	50,163	2	1,597
Boston	Lincoln	6,723	7,895	14,618	2	1,127
Bradford	West York	32,307	34,201	66,508	2	1,7.2
Bridgenorth	Salop	1,009	922	1,931	2	633
Bridgewater	Somerset	4,738	4,930	9,668	2	547
Bridport	Dorset	3,229	3,937	7,166	2	571
Brighton	Sussex	20,781	27,706	48,567	2	2,601
Bristol City	Gloucester	55,743	67,445	123,188	2	10,416
Buckingham	Bucks	3,850	4,128	7,978	2	393
Bury	Lancaster	12,092	12,757	24,759	1	696
Bury St. Edmunds	Suffolk	5,485	6,683	12,168	2	744
Calne	Wilts	2,485	2,615	5,100	1	178
Cambridge City	Cambridge	10,774	12,681	23,455	2	1,904
Cambridge University	Cambridge				2	
Canterbury City	Kent	9,931	8,491	15,422	2	1,924
Carlisle City	Cumberland	9,841	10,974	20,815	2	950
Chatham	Kent	8,335	9,548	17,903	1	893
Cheltenham	Gloucester	15,224	17,913	31,207	1	2,606
Chester City	Chester	10,518	12,443	22,961	2	2,246
Chichester City	Sussex	3,638	4,396	8,064	2	762
Chippenham	Wilts	3,465	3,141	6,606	2	278
Christchurch	Hants	3,147	3,487	6,634	1	331
Cirencester	Gloucester	2,872	2,968	5,840	2	496
Clitheroe	Lancaster	5,512	5,812	11,324	1	412
Cockermouth	Cumberland	3,000	3,420	6,420	2	322
Colchester	Essex	8,009	9,523	17,532	2	1,235
Coventry City	Warwick	14,205	15,974	30,179	2	3,724
Cricklade	Wilts	10,235	16,126	34,381	2	1,656
Dartmouth	Devon	2,056	2,607	4,663	1	252
Derby	Derby	15,646	16,761	32,407	2	2,922
Devizes	Wilts	2,852	3,304	6,156	2	385
Devonport	Devon	16,906	23,633	40,539	2	2,161
Dorchester	Dorset	2,437	2,965	5,402	2	356
Dover	Kent	7,043	9,952	17,795	2	1,920
Droitwich	Worcester	3,238	3,330	6,568	1	342
Dudley	Worcester	15,636	15,501	31,137	1	911
Durham City	Durham	4,409	5,183	9,577	2	1,100
Evesham	Worcester	1,979	2,266	4,245	2	150
Exeter City	Devon	16,167	21,064	37,231	2	3,728
Eye	Suffolk	3,371	3,776	7,147	1	680
Falmouth (see Penryn).						
Finsbury	Middlesex	124,230	140,813	265,048	2	14.036
Frome	Somerset	4,427	5,272	9,699	1	497
Gateshead	Durham	9,734	10,100	19,818	1	622
Gloucester City	Gloucester	6,777	7,720	14,497	2	1,827
Grantham	Lincoln	4,216	4,370	8,706	2	721
Greenwich, &c.	Kent	33,385	39,363	72,748	2	3,922
Grimsby, Great	Lincoln	3,397	3,391	6,688	1	507
Guildford	Surrey	2,766	3,159	5,925	2	473
Halifax	West York	12,609	14,075	26,694	2	1,914
Harwich	Essex	1,795	2,025	3,730	2	233
Hastings	Sussex	5,101	6,713	11,814	2	899
Helstone	Cornwall	3,849	4,320	8,169	1	400
Hereford City	Hereford	5,209	6,153	11,367	2	1,002
Hertford	Herts	2,693	2,760	5,463	2	611
Honiton	Devon	1,793	1,980	3,773	2	414
Horsham	Sussex	2,778	2,776	5,574	1	339
Huddersfield	West York	12,415	12,516	24,931	1	963
Hull, Kingston-upon	East York	30,279	35,391	65,670	2	3,063
Huntingdon	Hunts	2,617	2,183	5,500	2	374
Hythe	Kent	4,233	4,656	8,889	1	516
Ipswich	Suffolk	11,414	13,246	24,660	2	1,635
Ives, St.	Cornwall	4,056	4,589	8,645	1	337
Kendal	Westmoreland	5,4 3	6,106	11,519	1	368
Kidderminster	Worcester	7,610	7,982	15,427	1	922
King's Lynn	Norfolk	7,155	8,256	15,751	2	980
Knaresborough	West York	2,525	2,857	5,382	2	248
Lambeth	Surrey	88,702	108,710	197,412	2	9,063
Lancaster	Lancaster	6,734	7,655	14,389	2	1,313

Account of the Population of the Cities and Boroughs, &c.—continued.

Parliamentary Cities and Boroughs.	County.	Population in 1841.			Number of Members.	Number of Registered Electors in 1842-3.
		Males.	Females.	Total.		
Launceston	Cornwall	2,959	3,111	6,070	1	344
Leeds	West York	73,110	77,953	151,063	2	6,220
Leicester	Leicester	23,897	26,418	50,365	2	3,505
Leominster	Hereford	2,244	2,602	4,846	2	553
Lewes	Sussex	4,365	4,917	9,282	2	844
Lichfield City	Stafford	3,019	3,521	6,540	2	704
Lincoln City	Lincoln	6,214	7,107	13,411	2	1,146
Liskeard	Cornwall	1,935	2,241	4,226	1	312
Liverpool	Lancaster	135,382	146,774	282,656	2	15,550
London City	Middlesex	59,003	61,694	120,702	4	20,050
Ludlow	Salop	2,340	2,831	5,171	2	426
Lyme Regis	Dorset	1,441	1,935	3,376	1	255
Lymington	Hants	2,215	2,711	4,926	2	223
Lynn Regis (see King's Lynn).						
Macclesfield	Chester	15,315	17,209	32,523	2	821
Maidstone	Kent	7,668	8,957	16,625	2	1,556
Maldon	Essex	2,276	2,502	4,968	2	563
Malmesbury	Wilts	3,233	3,441	6,674	1	332
Malton	North York	3,370	3,505	6,875	2	537
Manchester	Lancaster	114,177	126,190	240,367	2	10,423
Marlborough	Wilts	1,954	2,165	4,119	2	256
Marlow, Great	Bucks	2,945	3,292	6,237	2	357
Marylebone	Middlesex	120,053	160,512	287,465	2	13,361
Midhurst	Sussex	3,337	3,241	6,578	1	283
Monmouth District, comprising Monmouth	Monmouth	2,736	3,086	5,822	1	1,144
Newport	Monmouth	4,574	5,297	10,271		
Usk	Monmouth	751	752	1,503		
Morpeth	Northumberland	3,532	3,628	7,160	1	488
Newark-upon-Trent	Notts	4,809	5,409	10,218	2	1,016
Newcastle-under-Lyne	Stafford	4,885	5,153	10,038	2	1,047
Newcastle-upon-Tyne	Northumberland	33,397	36,033	69,430	2	5,041
Newport, Isle of Wight	Hants	2,918	3,412	6,330	2	665
Northallerton	North York	2,890	2,471	4,861	1	303
Northampton	Northampton	10,313	10,324	20,637	2	1,974
Norwich City	Norfolk	27,411	33,571	60,982	2	4,220
Nottingham	Notts	23,653	27,788	51,441	2	5,172
Oldham	Lancaster	27,206	30,803	60,109	2	1,462
Oxford City	Oxford	11,411	12,245	23,656	2	2,751
Oxford University	Oxford				2	
Penryn and Falmouth	Cornwall	4,996	7,164	12,160	2	501
Peterborough City	Northampton	3,285	3,706	6,991	2	533
Petersfield	Hants	2,597	2,604	5,201	1	367
Plymouth	Devon	14,094	20,346	35,040	2	1,944
Pontefract	West York	5,110	5,578	10,688	2	665
Poole	Dorset	3,730	4,719	8,449	2	529
Portsmouth	Hants	21,488	27,726	49,214	2	1,917
Preston	Lancaster	23,639	26,613	50,252	2	2,975
Reading	Berks	8,496	10,003	18,499	2	1,130
Reigate	Surrey	2,324	2,091	4,415	1	194
Retford, East	Notts	21,837	22,295	44,132	2	2,506
Richmond	North York	2,031	2,269	4,300	2	252
Ripon	West York	2,714	3,213	5,927	2	341
Rochdale	Lancaster	11,609	12,482	24,091	1	941
Rochester City	Kent	5,641	6,308	11,949	2	1,194
Rye	Sussex	3,739	3,928	7,667	1	513
Salford	Lancaster	31,616	35,003	66,624	1	2,334
Salisbury City or New Sarum	Wilts	5,175	6,451	11,626	2	724
Sandwich and Deal, &c.	Kent	5,089	6,105	11,194	2	949
Scarborough	North York	4,312	5,641	9,953	2	537
Shaftesbury	Dorset	4,410	4,852	9,462	1	511
Sheffield	West York	53,008	55,609	109,597	2	4,199
Shields, South	Durham	10,453	12,494	22,948	1	712
Shoreham, New	Sussex	14,057	13,923	27,980	2	1,696
Shrewsbury	Salop	8,068	9,620	17,688	2	1,533
Southampton	Hants	13,293	14,222	27,515	2	1,970
Southwark	Surrey	69,306	73,514	142,820	2	5,353
Stafford	Stafford	4,502	4,647	9,149	2	1,237
Stamford	Lincoln	3,450	3,934	7,384	2	638
Stockport	Chester	23,531	26,623	50,154	2	945
Stoke-upon-Trent	Stafford	32,938	34,860	67,798	2	1,566
Stroud	Gloucester	17,780	19,883	37,668	2	1,135
Sudbury	Suffolk	2,729	2,809	5,721	2	375
Sunderland	Durham	24,454	27,264	52,318	2	1,691
Tamworth	Stafford	3,695	3,907	7,602	2	452
Taunton	Somerset	5,501	6,745	12,286	2	978
Tavistock	Devon	2,863	3,212	6,075	2	264
Tewkesbury	Gloucester	2,666	3,055	5,721	2	471
Thetford	Norfolk	1,753	2,021	3,844	2	192
Thirsk	North York	2,516	2,616	5,132	1	326
Tiverton	Devon	4,523	4,815	9,338	2	471
Totnes	Devon	1,823	2,417	4,240	2	424
Tower Hamlets	Middlesex	198,603	221,127	419,730	2	16,246
Truro	Cornwall	4,283	5,618	9,901	2	650
Tynemouth and North Shields	Northumberland	11,974	14,091	25,165	1	788
Usk (see Monmouth).						
Wakefield	West York	8,914	9,572	18,486	1	726
Wallingford	Berks	3,977	3,913	7,780	1	386

Account of the Population of the Cities and Boroughs, &c.—continued.

Parliamentary Cities and Boroughs.	County.	Population in 1841.			Number of Members.	Number of Registered Electors in 1842-3.
		Males.	Females.	Total.		
Walsall	Stafford	10,330	9,324	19,654	1	676
Wareham	Dorset	3,217	3,423	6,646	1	489
Warrington	Lancaster	10,195	10,921	21,116	1	640
Warwick	Warwick	4,964	4,760	9,124	2	911
Wells City	Somerset	2,130	2,477	4,607	2	342
Wenlock	Salop	9,861	9,913	19,774	2	985
Westbury	Wilts	3,614	3,840	7,454	1	274
Westminster City	Middlesex	103,643	116,307	219,930	2	14,501
Weymouth and Melcombe Regis	Dorset	3,744	5,040	8,784	2	691
Whitby	North York	4,148	3,714	2,862	1	439
Whitehaven	Cumberland	6,975	8,866	15,841	1	534
Wigan	Lancaster	12,073	13,094	25,167	2	517
Wilton	Wilts	3,134	4,133	8,057	1	223
Winchester City	Hants	4,255	5,115	9,370	2	628
Windsor, New	Berks	4,231	4,831	9,062	2	630
Wolverhampton	Stafford	48,394	44,549	92,943	2	2,467
Woodstock	Oxford	3,629	3,775	7,404	1	392
Worcester City	Worcester	11,879	14,427	26,306	2	2,387
Wycombe, Chipping	Bucks	3,057	3,423	6,490	2	338
Yarmouth, Great	Norfolk	12,121	15,429	27,550	2	1,960
York City	York	13,619	16,533	30,152	2	3,671
	Total	2,760,822	3,109,185	5,870,007	327	328,636

Account of the Population of the Cities, Boroughs, and Districts of Boroughs, which send Members to Parliament in Wales, in 1841; *the number of Members sent by each, and the number of Registered Electors in each, in* 1842-43.

Parliamentary Districts and Boroughs.	County.	Population in 1841.			Number of Members.	Number of Registered Electors in 1842-43.
		Males.	Females.	Total.		
Beaumaris District.						
Amlwch	Anglesea	1,494	1,879	3,373		
Beaumaris	,,	1,216	1,464	2,680	1	315
Holyhead	,,	1,308	1,671	2,974		
Llangefni	,,	614	734	1,348		
Total of District		4,627	5,748	10,375		
Brecon	Brecon	2,470	2,847	5,317	1	330
Cardiff District.						
Cardiff	Glamorgan	4,894	4,820	9,714		
Cowbridge	,,	498	582	1,080	1	710
Llantrissent	,,	415	440	855		
Total of District		5,807	5,842	11,649		
Cardigan District.						
Aberystwith	Cardigan	2,156	2,819	4,975		
Adpar	,,	733	786	1,519		
Cardigan	,,	1,619	2,181	3,800	1	707
Lampeter	,,	443	459	902		
Total of District		4,951	6,345	11,296		
Caermarthen District.						
Caermarthen	Caermarthen	4,200	5,203	9,403		
Llanelly	,,	3,411	3,407	6,818	1	941
Total of District		7,611	8,610	16,221		
Caernarvon District.						
Bangor City	Caernarvon	2,310	2,739	5,053		
Caernarvon	,,	3,525	4,318	7,843		
Conway	,,	864	964	1,828		
Criccieth	,,	269	335	604	1	986
Nevin	,,	750	806	1,556		
Pwllheli	,,	1,202	1,399	2,601		
Total of District		8,929	10,661	19,590		
Denbigh District.						
Denbigh	Denbigh	2,457	2,771	5,228		
Holt	,,	561	497	1,058	1	908
Ruthin	,,	1,521	1,750	3,271		
Wrexham	,,	2,824	3,007	5,831		
Total of District		7,363	8,025	15,388		

Account of the Population of the Cities, &c,—continued.

Parliamentary Districts and Boroughs.	County.	Population in 1841.			Number of Members.	Number of Registered Electors in 1842-1843.
		Males.	Females.	Total.		
Flint District.						
Asaph, St., City	Flint	817	884	1,701		
Caergwyle	,,	392	363	755		
Caerwys	,,	328	362	690		
Flint	,,	1,639	1,626	3,265	1	270
Holywell	,,	2,975	2,989	5,964		
Mold	,,	1,702	1,655	3,357		
Overton	,,	735	977	1,662		
Rhuddlan	,,	1,331	1,451	2,782		
Total of District		9,869	10,407	20,276		
Haverfordwest District.						
Fishguard	Pembroke	609	888	1,497		
Haverfordwest	,,	2,553	3,296	5,849	1	706
Narberth	,,	545	691	1,236		
Total of District		3,707	4,875	8,582		
Merthyr Tydvil.						
Merthyr Tydvil	Glamorgan	23,296	19,621	42,917	1	650
Montgomery District.						
Llanfyllin	Montgomery	528	578	1,106		
Llanidloes	,,	1,254	1,488	2,742		
Machynlleth	,,	755	917	1,672	1	960
Montgomery	,,	552	624	1,176		
Newton	,,	3,123	3,412	6,535		
Welshpool	,,	2,238	2,432	4,670		
Total of District		8,445	9,456	17,901		
Pembroke District.						
Milford	Pembroke	1,016	1,353	2,377		
Pembroke	,,	3,317	3,8 5	7,212	1	967
Tenby	,,	1,098	1,419	2,512		
Wiston	,,	366	409	775		
Total of District		5,795	7,081	12,876		
Radnor, New, District.						
Cefn-Llys	Radnor	15	11	26		
Knighton	,,	574	609	1,183		
Knucklas	,,	142	128	270		
Presteign	,,	734	816	1,550	1	516
New Radnor	,,	1,296	1,182	2,474		
Raydrgwy, or Rhayader	,,	433	479	912		
Total of District		3,194	2,225	6,419		
Swansea District.						
Aberavon	Glamorgan	1,971	1,694	3,665		
Kenfig	,,	234	228	462		
Loughor	,,	262	311	573	1	1,309
Neath	,,	2,423	2,542	4,967		
Swansea	,,	10,910	12,072	22,982		
Total of District		15,802	16,847	32,649		
Total of Wales		111,666	119,590	231,456	14	10,315

Account of the Population of the Cities, Boroughs, and Districts which send Members to Parliament in Scotland in 1841; *the Number of Members sent by each; and the Number of Registered Electors in each in* 1842–43.

Parliamentary Cities, Boroughs, and Districts of Boroughs.	County wherein situate.	Males.	Females.	Total.	Number of Members.	Number of Registered Electors in 1842–43.
Aberdeen City	Aberdeen	26,806	35,117	61,923	1	2,392
Dundee Borough	Forfar	29,729	34,744	62,873	1	2,217
Edinburgh City	Edinburgh	53,365	74,612	132,977	2	6,118
Glasgow City	Lanark	120,044	135,606	255,650	2	8,583
Greenock Borough	Renfrew	17,318	18,327	35,645	1	1,165
Paisley Borough	,,	21,811	25,684	47,695	1	1,113
Perth City	Perth	9,293	10,874	20,167	1	986
				616,930		22,769

Account of the Population, &c., of the Cities, Boroughs, &c.—continued.

Parliamentary Cities, Boroughs, and Districts of Boroughs.	County where situate.	Males.	Females.	Total.	Number of Members.	Number of Registered Electors in 1842-43.
Andrews, St., District.						
Andrews, St.	Fife	1,941	2,508	4,449	1	806
Anstruther, East	,,	446	562	1,008		51
,, West	,,	148	191	339		13
Crail	,,	517	704	1,221		54
Cupar	,,	2,326	2,811	5,137		335
Kilrenny	,,	701	628	1,719		52
Pittenweem	,,	575	734	1,309		59
Total of District		6,744	8,438	15,182	1	867
Ayr District.						
Ayr	Ayr	7,106	8,643	15,749	1	483
Campbeltown	Argyll	2,857	3,885	6,782		247
Inverary	,,	504	508	1,012		48
Irvine	Ayr	3,106	4,207	7,313		258
Oban	Argyll	604	794	1,398		59
Total of District		14,217	18,117	32,334		1,089
Dumfries District.						
Annan	Dumfries	1,519	1,802	3,321	1	609
Dumfries	,,	5,699	7,389	13,088		178
Kirkcudbright	Kirkcudbright	1,061	1,527	2,588		106
Lochmaben	Dumfries	416	515	931		40
Sanquhar	,,	795	905	1,700		72
Total of District		9,490	12,138	21,628		1,005
Elgin District.						
Banff	Banff	2,346	2,963	5,309	1	218
Cullen	,,	713	851	1,564		39
Elgin	Elgin	2,184	2,880	5,064		217
Inverury	Aberdeen	808	871	1,679		102
Kintore	,,	220	245	465		35
Peterhead	,,	2,470	3,289	5,759		223
Total of District		8,741	11,099	19,840		829
Falkirk District.						
Airdrie	Lanark	6,677	5,731	12,408	1	310
Falkirk	Stirling	3,995	4,208	8,203		394
Hamilton	Lanark	4,056	4,633	8,689		296
Lanark	,,	2,131	2,336	4,467		232
Linlithgow	Linlithgow	2,082	1,627	4,009		100
Total of District		18,941	18,535	37,776		1,332
Haddington District.						
Dunbar	Haddington	1,356	1,622	2,978	1	131
Haddington	,,	1,779	1,970	3,749		233
Jedburgh	Roxburgh	1,518	1,759	3,277		220
Lauder	Berwick	578	570	1,148		56
North Berwick	Haddington	486	551	1,037		36
Total of District		5,717	6,472	12,189		676
Inverness District.						
Forres	Elgin	1,227	1,826	3,173	1	145
Fortrose	Ross	411	544	955		44
Inverness	Inverness	4,969	6,579	11,568		480
Nairn	Nairn	1,027	1,357	2,384		75
Total of District		7,714	10,366	18,080		744
Kilmarnock District.						
Dumbarton	Dumbarton	2,160	2,231	4,391	1	191
Kilmarnock	Ayr	9,191	10,207	19,398		625
Renfrew	Renfrew	949	1,063	2,012		97
Rutherglen	Lanark	2,815	2,808	5,623		169
Port Glasgow	Renfrew	3,132	3,811	6,943		207
Total of District		18,247	20,120	38,367		1,289
Kirkcaldy District.						
Burntisland	Fife	813	1,046	1,859	1	50
Dysart	,,	3,230	3,827	7,057		144
Kinghorn	,,	655	887	1,542		40
Kirkcaldy	,,	4,481	5,297	9,778		462
Total of District		9,179	11,057	20,236		696
Leith District.						
Leith	Edinburgh	11,952	14,032	25,984	1	1,315
Portobello	,,	1,403	2,185	3,588		212
Musselburgh	,,	2,850	3,266	6,116		62
Total of District		16,205	19,483	35,688		1,589

Account of the Population, &c., of the Cities, Boroughs, &c.—continued.

Parliamentary Cities, Boroughs, and Districts of Boroughs,	County where situate.	Males.	Females.	Total.	Number of Members.	Number of Registered Electors in 1842–43.
Montrose District.						
Aberbrothwick, or Arbroath	Forfar	6,764	7,804	14,568	1	411
Brechin	,,	2,672	3,231	5,903		237
Forfar	,,	3,645	4,336	7,981		2.5
Inverbervie, or Bevie	Kincardine	424	440	864		39
Montrose	Forfar	6,316	7,936	14,252		359
Total of District		19,321	23,747	43,568		1,341
Stirling District.						
Culross	Perth	227	350	577	1	28
Dunfermline	Fife	6,719	6,577	13,296		526
Inverkeithing	,,	340	987	1,327		53
Queensferry	Linlithgow	589	644	1,233		39
Stirling	Stirling	4,989	5,712	10,701		464
Total of District		13,364	14,280	27,644		1,114
Wick District.						
Cromarty	Ross	312	1,124	1,936	1	46
Dingwall	,,	770	962	1,732		93
Dornoch	Sutherland	198	250	448		32
Kirkwall	Orkney	1,230	1,816	3,046		91
Tain	Ross	848	1,029	1,872		89
Wick	Caithness	2,595	2,927	5,522		355
Total of District		6,448	8,108	14,556		706
Wigtown District.						
Galloway, New	Kirkcudbright	212	218	430	1	17
Stranraer	Wigtown	2,179	2,708	4,878		215
Whithorn	,,	682	831	1,513		51
Wigtown	,,	343	1,017	1,360		95
Total of District		3,907	4,774	8,681		378
Grand Total		441,101	521,598	962,699	28	36,424

SECT. 3.—*Procedure in Parliament.*

When the two Houses have assembled at Westminster, on the day appointed for their meeting, the Lord Chancellor acquaints the Lords, that his Majesty, not thinking fit to be personally present, had been pleased to cause a Commission to be issued under the Great Seal for the opening of Parliament. The Lords Commissioners then send a message to the Commons, desiring their immediate attendance in the House of Lords. When the commission has been read by the clerk, the Lord Chancellor states that his Majesty will declare the causes of calling the Parliament, when the members of both Houses shall be sworn; and it being necessary that a Speaker of the House of Commons should be first chosen, he informs the members of that House that it is his Majesty's pleasure that they do choose their Speaker, and present him for approbation on a day mentioned. On their return, the Commons proceed to the choice of a Speaker, while the Lords are taking the oaths. At the time appointed for presenting the Speaker for his Majesty's approbation, the Lords Commissioners again desire the attendance of the Commons, when the Speaker acquaints their Lordships that he has been chosen, and expresses a sense of his incapacity to discharge the duties of the office: the Lord Chancellor assures him of his Majesty's approbation; on which he lays claim, on behalf of the Commons, to all their ancient and undoubted rights and privileges; which, being confirmed by the Lord Chancellor, he retires, accompanied by the Commons, and takes the oaths before any other member.

The ceremony of swearing occupies two or three days, after which the King, either in person or by commission, declares the causes of calling the Parliament in what is familiarly known as "the Speech." From this time the business of the session is practically commenced.

The Lords then adjourn to unrobe, and on the House being resumed, the Lord Chancellor reports his Majesty's speech, which is read by the clerk, and some peer moves that a humble address be presented, expressive of their thanks. On returning from the Upper House, the Commons read a bill, in order to preserve the privilege of not giving priority to the King's speech. They then, in the same manner as the Lords, vote an address. The address having been agreed upon by the respective Houses, each appoints a deputation to attend the King, and learn when it will be his pleasure to receive them; and at the time appointed they are presented, the members of each House accompanying their address in a body.

The House of Lords, before entering on the business of the session, appoints committees of privileges and for religion: committees sit in rooms near the Houses, several frequently sitting at the same time; a committee cannot, however, sit while the House, of which it is a committee, is sitting, unless by special leave.

In the committees of the Commons, a member is usually selected as chairman for the occasion, who, like the Speaker, has a casting vote. The method of proceeding in committees, will be noticed afterwards.

The method of proceeding with business is nearly the same in both Houses. The usual time for their assembling is four o'clock, but the House of Lords, on certain days of the week, meets earlier for the purpose of transacting business in its judicial capacity. In the Upper House three peers constitute a quorum; in the Commons, 40 members must be present. Before any business is entered upon by either House, prayers are read; in the Lords by a bishop, in the Commons by their chaplain. In the Commons, a few minutes before four, the Speaker takes his place at the upper part of the table on the right; the chaplain of the House being placed also at the upper part of the table, on the left: as soon as prayers have been read, the Speaker standing before the chair, proceeds to count the House, including himself, when, if 40 members be present, he takes the chair, and the mace is laid before him on the table: the House is then said to be constituted. If there be not 40 members at four o'clock, the Speaker declares the House adjourned to the next day of sitting; and for this purpose he also takes the chair, such being the standing order of the House. In the Lords, a peer brings in a bill without obtaining leave; he must, however, give notice of his intention. In the Commons, when the bill to be introduced relates to public matters, with the exception of supply as will be mentioned afterwards, it is necessary for the member bringing it in to move for leave, which motion is printed in the votes for the information of members. On the day fixed for making the motion, he briefly states the principle and object of the bill, and moves for leave to introduce it; if the House consent, an order for its introduction is made, and, at the time appointed, the bill in manuscript is brought in, with blank places left for the insertion of anything that may be doubtful, such as dates, &c. The introducer then moves that it be read a first

time, which being seconded, a debate, if the bill is opposed, usually ensues; after which, the question is put, and, if carried, an order is made for the printing of the bill, and a day is fixed for the second reading. After the second reading the bill is committed to a committee of the whole House; on some occasions to a select committee, whose report, when made, is proceeded with, as if the bill had been then read a second time. To form a committee of the whole House, the Speaker quits the chair, and may debate as a private member; when the House sits in committee, the mace is always taken off the table. In the Lords some peer, as already stated, is appointed chairman of committees for the session. In the Commons, a member is chosen for the occasion. In these committees, the bill is debated clause by clause, amendments made, the blanks filled up, and sometimes the bill entirely new modelled. If there be not time for the consideration of all the clauses at one sitting, the Speaker having again taken the chair, the chairman of the committee reports progress, and asks leave to sit again. The principal advantage of a committee consists in the greater freedom of debate; a member, for instance, in committee is not restricted to speaking once only on the same point: a committee, too, admits of inquiries being made, and questions being put on each separate clause, which could not generally be done in the House itself. It can, however, do so (but this seems the only exception) on a report being brought up from a committee. When every clause has been gone through and agreed on in committee, the report is brought up, that is, the bill, with all the amendments made in it, and a day fixed for taking the report into consideration. Frequently, indeed, the Speaker at the time takes the chair, and the House being then resumed, progress is reported. When the report is brought up at a future day, the House considers the whole bill again; and the question may, if it be deemed necessary, be put upon every clause and amendment. When the House has agreed or disagreed to the amendments of the committee, and perhaps added new amendments of its own, the bill is ordered to be engrossed, which is done on one or more long rolls of parchment sewed together, and a day is fixed for the third reading. If the third reading be agreed to, the House proceeds to consider whether it shall pass the bill to which it has agreed; when further amendments are not unfrequently again made. The Speaker then, as on its passing the former stages, opens the contents of the bill, and, holding it up in his hands, puts the question, whether it shall pass. These several readings take place at stated intervals; but there are precedents in cases of emergency, of bills being read twice, and even three times on the same day.

When a bill has thus passed through the House in which it was introduced, if it be the Lords it is indorsed "*soit baillé aux Commons*," and sent down to the latter by their messengers accordingly. A bill that has passed the Commons is, in like manner, written on by the clerk, within, on the top of the right-hand side, "*soit baillé aux Seigneurs*." It is carried up to the Lords by eight or more of the members of the House, and not, as in the case of a bill sent to the Commons, by an official messenger. It then passes through the same forms in the House to which it is sent, as it did in the House from

which it came (except the engrossing, which has already been done): if it be rejected, no notice is taken thereof, which prevents unbecoming altercations. If it be agreed to, the House in possession of the bill sends a message to the other House, stating that they have agreed to the same. The Lords, should they send the message, retain possession of the bill, unless it be a money bill; but if the Commons send the message, the bill is returned to the Lords. Should any amendments be made by the House to which the bill is carried, these are sent, along with the bill, to receive the concurrence of the House from which it was brought; and if that House agree to them, it sends a message to that effect to the other. If the amendments are disagreed to, a conference is requested between the Houses, at which, in general, the matters in dispute are adjusted; if, however, both Houses remain inflexible, the bill is dropped. All bills that have passed both Houses are deposited with the peers to await the Royal assent, except in the case of a bill of supply, which, after receiving the concurrence of the Lords, is always sent back to the Commons. When a bill has passed one House, and been sent to the other, and the provisions of the bill have been founded, not upon facts of general notoriety, but upon special facts that must necessarily be proved by evidence, it is usual for the House to which the bill is sent, to ask, either by message or at a conference, the grounds and evidence on which the bill has been passed; and this evidence, whether arising out of papers or from the examination of witnesses, is immediately communicated: but, farther than this, it is irregular for either House to inquire why the House in which the bill took its rise passed it in such or such a manner; nor would it be permitted to acquaint the House to which it is sent that it had passed unanimously. A bill may be opposed in any of its three stages, but the most usual time for opposition is at the second reading. If the principle of the bill, however, is not objected to, it is usual to allow it to pass this reading also, for the purpose of its being committed, in the hope of removing in the committee the objectionable parts. When a bill has been thrown out, it should not be again brought in during the same session. This rule, however, is sometimes evaded.

In passing private bills, great care is used that no one may be taken by surprise. Such bills are not allowed to be introduced on mere notice of motion, but a petition must be presented, in which the grievance desired to be remedied must be set forth. This, if it be founded on facts of a disputable character, is then referred to a select committee, who examine into the matter alleged, and, if necessary, hear counsel for and against the petition. When the committee have made their report, then, or, if no reference be necessary to a committee, upon the petition itself, leave is given to bring in the bill.

To hinder the time of the House being too much occupied by private bills, some period is usually fixed at the commencement of a session, after which no petitions for private bills are received.

In the Lords, if the bill begin there, it is referred, when of a private nature, to two of the judges, to examine the facts alleged, to see that all necessary parties consent, and to settle all points of technical propriety. In many cases where different interests are affected, as in in-

closure and railway bills, it is necessary that notice should be previously given to all parties interested, both of the intention of applying for a bill, and of its purport and effect. Besides which, three days must elapse; and the committee to which it is referred, and which must be composed of eight members at least, are not allowed to sit until a week's notice has been given by a paper posted up in the lobby. If the opposition be to the principle, or to the whole of the bill, the parties opposing it should present a petition to be heard against it by counsel at the bar of the House before the second reading; though instances have occurred of this indulgence being granted on bringing up the report of the committee, and even on the third reading. If they do not object to the principle of the bill, but to particular clauses only, they should pray to be heard against it before the committee, to whom their petition, together with the bill, will then be referred.

Each House has an equal right to originate and pass bills; except, as previously stated, that the Lords claim the exclusive right of originating bills for restitution of honours or of blood, and the Commons of all bills of supply. Bills, also, which have for their object the regulation of such matters as relate more particularly to one House than the other, ought, it would seem, to originate with that House to which they more peculiarly belong.

There is, however, one bill which begins neither with the Lords nor Commons, but with the Crown, viz., a bill for a general pardon. This is first signed by the Crown: it is then transmitted to both Houses of parliament, in each of which it is only read once. It must afterwards, however, receive the King's assent, like other public bills.

With regard to the important privilege assumed by the Commons of introducing all bills relating to money matters, we may observe that it was a standing order of the House, so long ago as 1667, "That no motion or proposition for an aid or charge upon the people should be presently entered upon, and that all such propositions should receive their first discussion in a committee of the whole House." Upon the same principle, viz., "that when money is to be raised upon the subject, the proposition should have the fullest and most frequent discussion," the Commons have determined "that no bills for any work proposed to be carried on by tolls or duties to be levied in particular places should be brought in until the petition for the bill has been referred to a committee and examined." And not only must all propositions with respect to the public supply be discussed, but they must also take their rise in a committee of the whole house.

The usual method is, for the Chancellor of the Exchequer, at the commencement of the session, to move that the House resolve itself into a committee to take into consideration that part of the King's speech relating to supply; and this being done, and the part of the King's speech relative to the estimates read, the quantum of supply is moved and considered. The committee of supply, as it is appointed only to consider the supply of the aids demanded by the Crown, can properly have no cognisance of any matters but such as are laid before the House by direction of the Crown: if it be thought necessary, therefore, to raise a sum of money not required by the Crown for public service, such grant cannot be moved in the committee of supply.

Another rule requires that the House shall receive no petition for any sum of money relating to public service, except it be recommended by the Crown; and the uniform practice has been to apply this order to all petitions for public money, whether the grounds of such applications be public or private: it is usual, therefore, for all grants of the public money to come recommended by a message from the Crown, which at once gives the committee cognisance of them. When the resolution that a certain sum be granted is reported to the House, and agreed to, it is then referred to another committee, which is also formed of the whole House, termed the committee of ways and means, to consider how the grant is to be raised. This committee, like the former, being for a specific purpose, cannot consider the means of raising any sum not included in the vote of the committee of supply; and, to enable them to do so, the matter must be specially referred to them by the House. The better way, however, seems to be to refer it to a committee of the whole House appointed for the particular purpose. Another rule of the Commons is, that, pending a bill for imposing any tax or duty, no petition against it shall be received, the object, apparently, being to hinder the time of the House being wasted by considering the petitions of interested parties. This rule, however, does not extend to petitions from the city of London. The latter are not opened by a member, as on other occasions, but are brought at once to the bar of the House by the sheriffs, who, without any question being put, deliver the petition to the clerk, who brings it to the table; after which, the sheriffs having withdrawn, the Speaker puts the question whether the petition be read; the question, as a matter of course, is carried in the affirmative, and then, and not until then, the House become acquanted with its contents, and dispose of it as they think proper. Petitions may, however, be presented in any subsequent session, praying the repeal or reconsideration of any taxes imposed in a former one.

Bills of supply, like all other bills, are sent up to the Lords, by whom they are either unconditionally assented to, or unconditionally rejected. The Lords have never, indeed, expressly waived the right to modify or alter such bills, but they have not for a considerable period attempted to exercise it. If they did, the bills so modified or altered would, on being sent back to the Commons, be thrown out as a matter of course, without considering the amendments. On more than one occasion, however, when the amendments made by the Lords appeared to be reasonable, the Commons have embodied them in new bills, and sent them in that form to their Lordships for their concurrence. Hatsell, in his *Precedents of Parliament*, has laid down the following rules in regard to the right of interference by the Lords:—

1st. That in bills of aid and supply, the Lords, as they cannot begin them, so neither can they make any alterations, either as to the quantum of the rate or its disposition; or, indeed, any amendment whatever, except in correcting verbal or literal mistakes; and even these the House of Commons direct to be entered specially in their journals, so that the nature of the amendments may appear, and that no argument prejudicial to their privileges may be afterwards drawn from their having agreed to such amendments.

2nd. That in bills which are not for the special grant of supply, but which, nevertheless, impose pecuniary burdens on the people, such as bills for turnpike roads, for canals, for paving, for managing the poor, &c. &c., for which purposes tolls and rates must be collected, in these, though the Lords may make amendments, their amendments must not make any alteration in the quantum of the toll or rate, its disposition or duration, or the persons, commissioners, or directors appointed to manage it. In the parts and clauses of these bills, not relative to any of these matters, the Commons have not objected to the Lords making alterations or amendments.

3rd. Where the bills, or the amendments made by the Lords, appear to be of a nature which, though not immediately, yet in their consequences may bring a charge upon the people, the Commons have denied the right of the Lords to make such amendments, and the Lords have acquiesced.

Lastly, the Commons insist, that the Lords have no right to insert in a bill pecuniary penalties and forfeitures; or to alter the application or distribution of the pecuniary penalties or forfeitures which have been inserted by the Commons.

Following out these assumptions, the Commons have sometimes attempted to tack, as it is termed, bills relating to entirely distinct matters to bills of supply, in the hope of having them carried through the Lords unaltered, under cover of the latter. Such attempts have however, been always considered as highly irregular, as well as unconstitutional, and have not for a long time been resorted to.

It is a rule in both Houses, that no member shall speak twice on the same question, except in committee, unless it be to explain or reply.

If an amendment be proposed, a member, after he has previously spoken on the original, is entitled to speak again upon the question of the proposed amendment, which is always put before the original question.

No member is allowed to interrupt another who is in possession of the House, unless he rise to speak to order, which may be done at any time.

When any member is personally interested in a question, it is a rule that he withdraw after speaking, and, in matters of consequence, this rule is supposed to be strictly enforced; but except in peculiar cases it is, in truth, rarely attended to. It is of every day occurrence for members deeply interested in railways, for example, to vote in favour of their own, and against opposing lines.

To preserve the freedom of debate, and to secure the independence of the two Houses, it is established that no notice whatever is to be taken by any of the branches of legislature of what is passing, or, indeed, of what has passed, before the others, until formally communicated in the due course of parliamentary proceeding.

The freedom of speech allowed to the members does not authorize them to use improper, that is, treasonable, seditious, or ungentlemanlike language; and those who do so may be called to order by the Speaker or by any one else. And it is, also, to be observed, that though a member in a debate in the House may state what he pleases, provided,

he be not called to order, in regard to the conduct and character of others, this privilege does not extend further. If a member publish his speech he loses that protection so necessary for the freedom of debate. He then addresses the public and not the House of Commons; and having, in this way, waived his privilege as a member of the latter, he must answer, like any other individual, for the statement he has made. (*May, on the Privileges, &c., of Parliament*, p. 81.)

No member of either House is allowed to state what the King's opinion may be on any measure while under consideration, nor even, indeed, to mention his name. The King may, however, if personally interested, or if the measure relate in any way to his prerogative, direct his ministers to signify his acquiescence; and it is, as already stated, a standing order of the House of Commons, that it will receive no petition for money relating to public service unless it be recommended by the Crown: as soon, therefore, as any petition of this nature is offered, the Chancellor of the Exchequer, or some other member acquaints the House, that his Majesty having been informed of its contents, recommends the same to its consideration.

If, in the course of a debate in one House, any reflections be made upon the other, the member making them should be called to order at the time; as no notice can be taken of them afterwards. Attempts have been sometimes made by one House to obtain redress from the other, but always without success.

In a parliamentary sense, indeed, each House is presumed to be ignorant of what takes place in the other; the proceedings in each being supposed to be always carried on with closed doors. It has, it is true, long been the custom to admit strangers, and, in particular, to afford every facility to persons engaged in reporting the speeches of the members, for the use of the public; but this, by a convenient though clumsy fiction, is not supposed to be known to the House; and any member may at any time insist on having the House cleared. When the House divides, this is always done.

If members stay in the country, or absent themselves from their duties, the House may be called over; and it is sometimes ordered "that no member shall go out of town without leave of the House, and that to be obtained on motion in the House." When a call of the House is ordered to be made, a resolution is passed at the same time, "that such members as shall not attend at the time appointed, be taken into custody." Notice is, of course, previously given to each member.

In putting the question, the rule is, that the question which is first moved and seconded, be first put. The way is, for the member who moves to write down his motion and hand it to the Speaker, who, when it has been seconded, proposes it to the House, which is then said to be in possession of the question. A question cannot, after it has been proposed, be withdrawn without leave of the House; but if, as not unfrequently happens, a question be proposed on which the House does not wish to give an opinion, it is avoided by some member moving an adjournment, or that the orders of the day be read, or the previous question; which motions take precedence of all others. In committee,

instead of the motion to adjourn it is usual to move that the House do resume, which amounts to the same thing.

The right, however, of making a motion for the orders of the day being read, does not hold when the House is actually proceeding upon one of them. Another way of getting rid of a question is to propose such an alteration, by way of amendment, as is incompatible with the nature of the original question; as, that a bill be read that day six months; in which case, also, the question on the amendment takes precedence of the original motion.

In putting the question, points of great nicety occur as to the form and method; but with these we need not trouble the reader.

The Peers vote by the words "content" and "not content;" the Commons, by the words "aye" and "no." Down to 1836 the practice in the Commons was for the Speaker to send one party into the lobby the other remaining in the House; but now there are two lobbies, and on a division the Speaker directs the "ayes" to go into one lobby and the "noes" into the other; and he then appoints two tellers for each party, of whom one for the "ayes" and another for the "noes" are associated, to check each other in the telling. In the House of Lords the votes are taken commencing with the puisne lord. Peers not present at a division may vote by proxy, that is, they may authorize some other peer who is present to vote for them; but this privilege extends only to votes of the House, and not to votes of committees, from which proxies are excluded. The privilege is, moreover, of very questionable policy. That a person who has not heard a debate, and who may not, perhaps, be at the time in the kingdom, should notwithstanding be entitled to vote on the question, is a proceeding not very reconcileable either with sound principle or common sense. The peers, also, enjoy the less questionable privilege of entering in the journals of the House a protest against any measure of which they disapprove, with reasons for doing so. When a division takes place, the Houses are always cleared of strangers, and the doors closed, so as to prevent members coming in or going out; it being an established rule, that none who did not hear the question put shall be allowed to vote; and that none who did, and were in the House at the time, shall be allowed to withdraw without voting. If, through mistake, members intending to vote with one party go with the other their votes are reckoned with the latter, however opposed to their opinions.

Committees.—Many of the rules relating to committees have already been incidentally noticed. Committees, at the will of the House, assert the power to summon and enforce the attendance of witnesses, and the witnesses attending cannot be arrested either on their coming or going; if they be, the House will, on motion, order them to be discharged. Officers too may be summoned to attend with the books of a corporation, &c.; and if any one directly or indirectly attempt to prevent a witness from appearing or giving testimony, or tampers with him in respect of the evidence to be given, the House will proceed against him with severity, as it will also against the witness himself if he give false testimony.

All committees, excepting those appointed to inquire into the return of a member, cease *ipso facto* on a prorogation or adjournment of parliament.

There is this difference between committees of the Lords and Commons, that the former examine witnesses upon oath, which is not done by the latter, with the exception of committees on disputed elections.

The validity of the return of members to the House of Commons when objected to is inquired into and adjudicated upon by committees of the House appointed for the purpose, under various statutes to which it is useless to refer in detail. The return is usually questioned on the ground of some irregularity in making it out; of riot, by which voters were prevented from coming to the poll; or of bribery and treating, the latter being by far the most common ground of objection. Notwithstanding the efforts that have been made to render them impartial, the impression continues to be that the decisions of election committees are influenced more by political biasses than by regard to the merits of the cases brought before them. The law as to bribery and treating seems also to stand much in need of amendment. A landlord or great manufacturer supports a candidate on the implied, perhaps, but often also on the agreed and distinctly understood condition, that if the candidate in question be returned, he will do his best to promote the views of the individual supporting him, by recommending his family or connexions to government, or to the leaders of his party, as deserving of their especial support and patronage. This is held to be a fair legitimate transaction; but if so, if a commission in the army, or a place in the customs or excise may be thus virtually bargained for, where is the justice of prosecuting and punishing the needy tradesman or shopkeeper, who contents himself with stipulating for payment of some 5*l.* or 10*l.*? The fact is, that it is altogether impracticable to put down bribery at elections, taking the word in its enlarged sense. Where poor men have that in their possession which rich men are eager to acquire, it is the merest drivelling to suppose that it is possible to hinder the former from selling, and the latter from buying. A traffic in votes has always been, and always will be, practised indifferently by all parties. We doubt whether the institution of prosecutions has the slightest influence over its amount. It, no doubt makes the traffic be transacted less openly, and tends to make the disgrace, like that attaching to theft in Sparta, be applied rather to the circumstance of its being so clumsily conducted as to lead to a discovery, than to the perpetration of the offence! There is no way by which to lessen treating and the direct buying of votes except by establishing a property qualification, and conferring the franchise on those only, who may be presumed to be in a condition above being influenced by pots of beer and small sums of money.

Both Houses possess judicial authority so far as is necessary for investigating all matters relating to themselves or their privileges, and, with the exception of the Commons not administering oaths, exercise all the powers requisite for that purpose, as taking persons into custody, examining witnesses, compelling the attendance of parties, the production of books and papers, and other matters of evidence, discharging,

reprimanding, and, if necessary, imprisoning offenders. The House of Lords is, indeed, one of the regular courts of justice, which the House of Commons is not: so far, however, as relates to the power of the former in asserting and vindicating its privileges, it should, perhaps, rather be considered, like that of the House of Commons, in the light of a parliamentary prerogative, than as an exercise of its functions as a court of justice.

Conferences.—A Conference, if it be on the subject of a bill depending between the two Houses, must be demanded by that House which, at the time of asking it, is in possession of the bill. The subjects upon which conferences are most frequently demanded are where amendments have been made by one House to a bill passed by the other, to which amendments the House desiring the conference has disagreed. When either House sends a message to the other stating that they disagree to the amendments, they may desire a conference; if they neglect doing so the bill is returned, that the due course of parliament in transacting matters of this nature may be observed. If the House which amends the bill be not satisfied by the reasons given for disagreeing to the amendments, and perseveres in them, it may desire another conference, at which its speakers may state their arguments in favour of the amendments, and the reasons why they refuse to depart from them; and if, after such second conference, the other House insist upon disagreeing to the amendments, they may demand a "free conference," at which the arguments on both sides may be more amply and freely discussed: if this prove ineffectual the bill must be lost. The privilege of naming the place of conference belongs to the Lords. In demanding conferences, the subject on which they are demanded should be distinctly stated. Managers are appointed by the respective Houses, and before they go, if it be not a free conference, the House demanding the conference appoints a committee to draw up the reasons which they offer in support of their measure. These reasons being reported from the committee, and agreed to by the House, are delivered to the managers of the conference that they may communicate them to the managers of the conference on the part of the other House: all the managers have to do is on the one side to state, and on the other to receive, the reasons given; the managers then communicate them to the House by which they have been sent; so that these conferences are, in fact, nothing more than a method of formally communicating the reasons of one House to the other. At a free conference, the arguments on both sides are more freely discussed and gone into. In all conferences the number of the managers on the part of the Commons doubles that of the Lords.

Sect. 4.—*Adjournment, Prorogation, and Dissolution of Parliament.*

It remains, lastly, to describe the method of adjourning, proroguing, and dissolving parliament.

An adjournment, as the term imports, is merely a prolongation of the session from day to day, or sometimes for ten days or more as at Christmas and Easter. It is effected by the authority of each House

separately; the adjournment of one House being no adjournment of the other.

A prorogation, on the other hand, is the continuance of a parliament from one session to another: after a prorogation all bills that are only begun but not perfected, must be resumed *de novo* (if at all) in a subsequent session; but after an adjournment all things continue in the same state as at the time of the adjournment, and may be proceeded in without any fresh commencement. A prorogation is 1. by the King's command pronounced in his presence by the Lord Chancellor to both Houses; or, 2. By writ under the great seal, directed to the Lords and Commons; or, 3. By commissioners appointed under a special commission for the purpose. The first is the usual way of proceeding, when the parliament is prorogued at the close of the session. Prorogation by writ does not take place, except upon the meeting of a new parliament, after a general election, and before a speaker of the House of Commons is chosen: on this occasion, when the members of the House of Commons come to the place appointed for administering the oaths by the Lord Steward, or his deputies, they are informed that the parliament is to be prorogued by writ, directed to the Lords and Commons. They then proceed directly without entering their own House, or awaiting any message from the Lords, to the House of Peers, where the writ for proroguing the parliament is read. Proroguing by special commissioners is the usual way, when parliament meets from time to time during the recess. Parliament is never prorogued during the recess, but for about a couple of months only; when, unless anything particular occurs, it is again prorogued for a similar period, and so from time to time, until it meet for the usual yearly business. In times of actual rebellion, or imminent danger of invasion, if the parliament be separated by adjournment or prorogation, the King may call it together by proclamation, with 14 days' notice of the time appointed for its reassembling.

A dissolution is the civil death of parliament, and may be effected in three ways:—1. By the King's pleasure; 2. By the demise of the Crown; and, 3. By efflux of time.

1. It is the acknowledged prerogative of the sovereign to dissolve parliament at his pleasure, and this as well during an actual session as during an adjournment or prorogation. Since the Revolution, the unvaried practice has been to prorogue the parliament in the first instance to a certain day, and then, before the time of meeting arrives, to issue a proclamation declaring it dissolved. This is adopted as the most delicate and indirect mode of executing an unpleasant measure, which a dissolution is supposed to be.

2. The other method of dissolution, viz., by demise of the Crown, formerly happened immediately on the death of the reigning monarch; but this being found inconvenient, it was enacted by the statutes 7 & 8 Will. III., and 6 Anne, that the parliament in being should continue for six months after the death of any king or queen, unless sooner prorogued by the successor; that, if the parliament be at the King's death separated by adjournment or prorogation, it should, notwithstanding, assemble immediately; and that, if no parliament be

then in existence, the members of the last parliament should assemble and be again a parliament.

3. A parliament may expire by length of time. The law, commonly called the Septennial Act, limits the duration of parliaments to seven years, to be reckoned from the day on which, by the writs of summons, they were appointed to meet. Before the Triennial Act of William and Mary, passed in 1694, there was no legal limitation of time for the duration of parliaments; and, in fact, the parliament which was elected in 1661, soon after the Restoration, was not dissolved till January 1678–9, having continued nearly eighteen years. The acts in force before the reign of William did not limit the maximum duration of parliaments to three years, but provided only that their sittings should not be suspended beyond that term.

Table of the Duration of Parliaments from the 1st of Henry VIII., when Long Parliaments were first introduced, to the end of William IV.

Met.	Dissolved.	Existed. Y.	M.	D.
REIGN OF HENRY VIII.				
21 January, 1510	23 February, 1510	0	1	2
4 February, 1511	4 March, 1513	2	1	0
5 February, 1514	22 December, 1515	1	10	17
15 April, 1523	13 August, 1523	0	3	29
3 November, 1530	4 April, 1536	5	5	1
8 June, 1536	18 July, 1536	0	1	10
28 April, 1539	24 July, 1540	1	2	26
16 January, 1541	29 March, 1544	3	2	13
23 November, 1545	31 January, 1547	1	23	0
EDWARD VI.				
4 November, 1547	15 April, 1552	4	5	11
1 March, 1553	31 March, 1553	0	1	0
MARY.				
5 October, 1553	6 December, 1553	0	2	1
2 April, 1554	5 May, 1554	0	1	3
12 November, 1554	16 January, 1555	0	2	4
21 October, 1555	9 December, 1555	0	1	18
20 January, 1557	17 November, 1557	0	9	28
ELIZABETH.				
23 January, 1558	8 May, 1558	0	3	16
11 January, 1562	2 January, 1567	4	11	22
2 April, 1571	29 May, 1571	0	1	27
9 May, 1572	18 March, 1580	7	10	10
26 November, 1585	14 September, 1586	0	9	21
29 October, 1586	23 March, 1587	0	4	23
4 February, 1588	29 March, 1588	0	1	25
19 November, 1592	10 April, 1593	0	4	22
24 October, 1597	9 February, 1598	2	3	16
7 October, 1601	29 December, 1601	0	2	22
JAMES I.				
19 March, 1603	9 February, 1611	7	10	21
5 April, 1614	7 June, 1614	0	2	2
30 January, 1620	8 February, 1621	1	0	9
19 February, 1623	24 March, 1625	2	1	5
CHARLES I.				
17 May, 1625	12 August, 1625	0	2	26
6 February, 1626	15 June, 1626	0	4	9
17 March, 1627	10 March, 1628	0	11	23
18 April, 1640	5 May, 1640	0	0	22
3 November, 1640	20 April, 1653	12	5	17
CHARLES II.				
25 April, 1660	29 December, 1660	0	9	4
8 May, 1661	24 January, 1678	17	8	16
6 March, 1679	12 July, 1679	0	4	6
17 October, 1679	18 January, 1681	1	3	1
21 March, 1681	28 March, 1681	0	0	7
JAMES II.				
12 March, 1685	28 July, 1687	2	4	16
22 January, 1688	23 February, 1689	1	1	4
WILLIAM III.				
20 March, 1689	11 October, 1695	6	6	22
27 November, 1695	7 July, 1698	2	7	10
24 August, 1698	19 December, 1700	2	3	26
26 February, 1700	11 November, 1701	1	8	5
20 December, 1701	7 July, 1702	0	6	2
ANNE.				
20 August, 1702	5 April, 1705	2	7	16
14 June, 1705	15 April, 1708	2	10	1
8 July, 1708	21 September, 1710	2	2	13
25 November, 1710	8 August, 1713	2	8	14
12 November, 1713	15 January, 1715	1	2	3
GEORGE I.				
17 March, 1715	10 March, 1721	5	11	21
10 May, 1722	5 August, 1727	5	2	26
GEORGE II.				
28 November, 1727	18 April, 1734	6	4	21
13 June, 1734	28 April, 1741	6	10	15
25 June, 1741	18 June, 1747	5	11	24
13 August, 1747	8 April, 1754	6	7	25
31 May, 1754	20 March, 1761	6	9	20
GEORGE III.				
19 May, 1761	11 March, 1768	6	9	22
10 May, 1768	30 September, 1774	6	4	21
29 November, 1774	1 September, 1780	5	9	4
31 October, 1780	25 March, 1784	3	4	25
18 May, 1784	11 June, 1790	6	0	25
10 August, 1790	20 May, 1796	5	11	3
12 July, 1796 (United Kingdom of Great Britain and Ireland.)	31 December, 1800	5	11	18
22 January, 1801	29 January, 1802			
31 August, 1802	24 October, 1806	4	2	25
15 December, 1806	29 April, 1807	0	4	15
22 June, 1807	29 September, 1812	5	3	7
24 November, 1812	10 June, 1818	5	6	16
4 August, 1818	29 February, 1820	1	6	25
GEORGE IV.				
23 April, 1820	2 June, 1826	6	1	9
14 November, 1826	24 July, 1830	4	1	22
WILLIAM IV.				
26 October, 1830	22 April, 1831	0	5	27
14 June, 1831	3 December, 1832	0	5	20
29 January, 1833	30 December, 1834	1	11	1
19 February, 1835	17 July, 1837	2	5	2
VICTORIA.				
15 November, 1837				

Acts of Parliament being quoted by the year of the King's reign, we subjoin, for the convenience of the reader, the following—

Table showing the Commencement, Length, and Termination of the Reigns of the various Kings and Queens of England since the Conquest, with the Date of their respective Births, and their Ages.

Kings and Queens.	Born.	Reigns began.	Reigned.	Reigns ended.	Age.
			Y. M. D.		
Norman Monarchs.					
Will. Conq.	1027	1066, Dec. 25	20 8 15	1087, Sept. 9	60
Will. Rufus	1057	1087, Sept. 26	12 10 7	1100, Aug. 2	43
Henry I.	1068	1100, Aug. 5	35 3 27	1135, Dec. 1	67
Stephen	1105	1135, Dec. 26	18 10 0	1154, Oct. 25	49
House of Plantagenet.					
Henry II.	1133	1154, Dec. 19	34 6 18	1189, July 6	55
Richard I.	1156	1189, Sept. 3	9 7 3	1199, April 6	43
John	1165	1199, May 27	17 4 23	1216, Oct. 19	60
Henry III.	1207	1216, Oct. 28	56 0 19	1272, Nov. 16	65
Edward I.	1239	1272, Nov. 20	37 7 17	1307, July 7	67
Edward II.	1284	1307, July 8	19 6 12	1327, Jan. 20	43
Edward III.	1312	1327, Jan. 25	50 4 27	1377, June 21	65
Richard II.	1367	1377, June 22	22 3 7	1399, Sept. 29	33
House of Lancaster.					
Henry IV.	1367	1399, Sept. 30	13 5 20	1413, Mar. 20	46
Henry V.	1389	1413, Mar. 21	9 5 10	1422, Aug. 31	33
Henry VI.	1421	1422, Sept. 1	38 6 3	1461, Mar. 4	49
House of York.					
Edward IV.	1442	1461, Mar. 4	22 1 5	1483, April 9	41
Edward V.	1471	1483, April 9	0 2 16	1483, June 25	12
Richard III.	1443	1483, June 26	2 1 26	1485, Aug. 22	42
Houses of Lancaster and York united.					
Henry VII.	1456	1485, Aug. 22	23 7 30	1509, April 21	52
Henry VIII.	1492	1509, April 22	37 9 6	1547, Jan. 28	55
Edward VI.	1537	1547, Jan. 28	6 5 9	1553, July 6	15
Q. Mary	1516	1553, July 6	5 4 11	1558, Nov. 17	42
Q. Elizabeth	1533	1558, Nov. 17	44 4 7	1603, Mar. 24	69
House of Stuart.					
James I.	1566	1603, Mar. 24	22 0 3	1625, Mar. 27	59
Charles I.	1600	1625, Mar. 27	23 10 3	1649, Jan. 30	49
Commonwealth.					
		1649, Jan. 30	11 3 29	1660, May 29	
House of Stuart restored.					
Charles II.	1630	1649, Jan. 30	36 0 7	1685, Feb. 6	54
James II.	1633	1685, Feb. 6	3 10 5	1688, Dec. 11	67
Houses of Orange and Stuart.					
William III. / Mary II.	1650 / 1662	1689, Feb. 13	13 0 20	1702, Mar. 8	52 / 32
Q. Anne	1665	1702, Mar. 8	12 4 24	1714, Aug. 1	49
House of Hanover.					
George I.	1660	1714, Aug. 1	12 10 10	1727, June 11	67
George II.	1683	1727, June 11	33 4 14	1760, Oct. 25	77
George III.	1758	1760, Oct. 25	59 3 4	1820, Jan. 29	82
George IV.	1762	1820, Jan. 29	10 4 28	1830, June 26	68
William IV.	1765	1830, June 26	6 11 25	1837, June 20	71
Victoria	1819	1837, June 20			

CHAPTER III.—Of the Executive.

Sect. 1.—*The King, his Duties, Prerogatives, and Ministers.*

The executive power, according to the British constitution, both in respect of foreign and domestic affairs, is vested in the King or Queen regnant; males and females being equally capable of ascending the throne of these realms. In all acts of parliament, indeed, the term king is taken as including that of queen, and conversely. But, as previously observed, the King performs all executive acts by means of ministers or recognised officers and agents, responsible to the parliament and the country for their proceedings. Hence, his powers are principally manifested in the selection of his ministers and councillors, and even as regards them his choice is comparatively limited.

The succession to the Crown of England has been for ages hereditary, except in so far as it may be controlled and limited by the intervention of parliament. This, however, has not always been the case. Under the Saxons the Crown was elective; and under the earlier princes of the Norman line the succession does not appear to have been regulated by any fixed principle. It is remarked by Mr. Allen that Richard I., who succeeded Henry II. in 1189, is the first King of England who ascended the throne without the form at least of an election, and without any interval having elapsed between the death of his predecessor and his own accession. (*Rise and Growth of the Prerogative*, p. 47.)

The descent of the crown differs, however, in several respects from the rules of inheritance in ordinary cases; descending, for example, to an eldest daughter and her issue, in preference to her sisters. Neither is there any legal infancy in the case of an heir to the crown; and hence, when its devolution on a minor is an event likely to occur, it is usual for parliament, in the lifetime of the ancestor, or predecessor, to make a special provision to meet the contingency, by appointing a regency until the Sovereign shall have attained a suitable age.

The crown, as limited by the Act of Settlement, 12 & 13 Will. III. c. 2, is vested in the descendants of the Princess Sophia, youngest daughter of Elizabeth, Queen of Bohemia, and grand-daughter of James I., being Protestants; with the proviso, that its possessor shall join in the communion of the Church of England as by law established. And as our old monarchs and their nearest descendants were set aside at the Revolution, the right of the present royal family to the throne depends wholly on this act. They have, therefore, no prerogatives, power, or authority, save what they derive from parliament, or from the consent of the nation. The Stuarts might, had they continued to rule over us, have believed that they had been unjustly deprived of their ancient hereditary rights, and might, consequently, had a favourable opportunity offered, have endeavoured to recover their possession. But the princes of the House of Hanover can indulge in no such fancies or regrets. They are to all intents and purposes creatures of parliamentary law. And it is well for them and for us that such is the case. "It is a rare fortune, and peculiar to England, that we have a family on the throne who have no legitimate preten-

sions to the crown but what they derive from parliament. The Act of Settlement, which is the sole foundation of their title, has cut off all obsolete claims, whether derived from Egbert or the Confessor." (*Allen on the Prerogative*, p. 52.)

On the accession of every prince he is usually crowned; on which occasion he is formally invested with the office, and takes the oath prescribed by the act of 1 W. & M., st. 1, c. 6. This oath binds the Sovereign "to govern the people of this kingdom of England, and the dominions thereto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same; to cause law and justice, in mercy, to be executed in all his judgments; to maintain the laws of God, the true profession of the gospel, and the Protestant reformed religion established by law; and to preserve to the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them."

The Act of Settlement requires every King of the age of 12 to take this oath, if the coronation has not taken place previously, on the first day of the first parliament after his accession, in the House of Peers, and at the same time to repeat and subscribe the declaration against popery.

The act of coronation was formerly regarded as an important, if not an essential, preliminary to the assumption of the royal character;* but it has been long settled that the King is, at the instant of his accession without any coronation, to all intents and purposes the Sovereign of these realms; and, though no oath have been administered to him, he is as much bound by its provisions as if he had taken it.

As regards the duties of the King, in the point of view now under consideration, they may be considered as twofold,—1st, in relation to foreign, and, 2ndly, in relation to domestic affairs.

In the intercourse between this and other states, the King represents the nation; and has the sole power of making war and peace. The law will not permit war to be covertly or openly carried on by his subjects or by any portion of them with any foreign nation at peace with this; and by stat. 12 Car. II. c. 4, and 29 Geo. II. c. 16, the King may prohibit the exportation of arms and ammunition. He may also grant what are termed letters of marque, that is, permissions to any of his subjects who have suffered from foreign depredations to make reprisals, and to seize or destroy the property of the subjects of the aggressor nation without incurring the penalties of piracy.

The King has also with the power of making war, the supreme command and disposal of the army and navy; all the officers of which receive their commissions from him, and are subject to his authority. The management of the militia, yeomanry, and other domestic forces, is regulated by various statutes, which, however, distinctly recognize the paramount power of the Crown. The right to the command of the military forces formed one of the disputed questions between Charles I. and his parliament. But at the Restoration, the sole government and command of all forces by sea or land, and of all forts and places of strength was definitively vested in his Majesty and his successors. But, nevertheless, the King cannot embody a single battalion, or send a

* See *Hardy's Introduction to Close Rolls*, p. 135—137.

single ship to sea, unless the House of Commons furnish him with the necessary supplies.

It is partly upon the same, and partly on fiscal grounds, for the security of the revenue, that the King appoints ports and harbours. He is the presumptive lord of the sea-shore, of all tide rivers, and of the creeks and havens, which are, as it were, the gates of the realm. All legal ports are held to owe their first establishment to the Crown; nor is it lawful, in ordinary cases, to land or to embark at any but an authorized port.

The 1st of Elizabeth, c. 11, and 13 and 14 Car. II., c. 11, § 14, enable the Crown to ascertain the limits of all ports, and to assign proper wharfs and quays in each port for the lading and unlading of merchandise.

The erection of beacons, light-houses, and sea-marks, is another branch of the royal prerogative. For this purpose the King may, by commission under the great seal, make them be erected in convenient places, as well upon the lands of the subject as upon the demesnes of the Crown; a power which is usually vested by letters patent in the office of lord high admiral. The 8th Elizabeth, c. 13, empowers the corporation of the Trinity House to set up beacons or sea-marks wherever they may think them necessary.

To this branch of the prerogative may also be referred the power which the King has, upon reasonable grounds, of compelling his subjects to stay within the realm, or of recalling them from beyond seas. It is true that, by the common law, every man is allowed to go out of the realm at pleasure, without obtaining the King's leave; but the King may, if he think proper, prohibit, by a writ *ne exeat regno*, any subject from quitting the kingdom, or he may send a writ to any subject abroad commanding his return; and, in either case, if the subject disobey, it is a breach of his allegiance, and the offender's lands and goods may be seized until his return; and on his return he is punishable by fine and imprisonment.

As the King has the power of making war, so he has also that of making peace and negotiating treaties. He sends ambassadors to foreign countries, and receives them at home; it is by his authority, also, that passports are granted and safe conduct insured to the subjects of foreign states visiting this country.

In respect of domestic affairs the King, as chief magistrate, summons together the legislature, and prorogues or dissolves it, from time to time, as may be necessary. As conservator of the public peace and guardian of the laws, it is his duty to see that the rights and liberties of his subjects are secured, and that justice is duly administered. But, as already seen, these duties are all performed through the instrumentality of responsible agents, appointed in due course of law. Thus the conservation of the laws is intrusted to judicial officers, such as the lord high chancellor, the judges, the justices of the peace, &c. In pursuance of this duty, writs and mandates of all forms suitable to the grievances complained of may be obtained on the application of the subject, addressed either to the party offending, who is bound to obey, or to some officer of the Crown whose business it is to enforce them. In the further fulfilment of this part of his character, the King has to

prosecute all public offenders; for which purpose he has his law officers, the attorney and solicitor-general: but, in practice, the duties of these officers are almost entirely confined to offences immediately affecting the interests of the Crown. Ordinary criminal prosecutions, though carried on in the King's name and at his nominal suit, are really promoted by the parties injured, who merely use the King's name for the purpose of putting in motion the process of the law.

It is in the same sense that the King is styled the fountain of justice; it is from him that all courts, ecclesiastical as well as civil, mediately or immediately, derive their jurisdiction. Down to the reign of Henry III. our kings were occasionally in the habit of hearing and determining causes in person;* but for a long time past the whole of their judicial functions have been delegated to the judges appointed by them, or rather by ministers, to preside in the different courts. The latter are the great depositaries of the laws of the kingdom, and have acquired a certain and established jurisdiction, regulated by rules and maxims not to be altered except by parliament. It is a constitutional maxim that the King cannot be sued in any court of law; but, nevertheless, if any one have a demand against him in point of property, a petition, or plea of right, is due to the claimant, through which he will obtain justice with as much certainty and dispatch as if his claim had been against a private party.

Among other things, the King is said to be *parens patriæ;* and as such is supposed to have the care of minors, idiots, and lunatics, and the superintendence of all charities which have no other visitors assigned to them. But these duties are exercised either by the lord high chancellor for the time being, or by the ordinary courts of law. The Crown has a sort of ultimate reversionary interest as feudal lord paramount in the lands of the kingdom, which are all directly or mediately held of the King, and are by a fiction of law supposed to have been originally granted by him on certain conditions; of which one is, the true and faithful allegiance of the holder. Hence, when a subject is convicted of treason, his lands are forfeited to the King; and, for the same reason, when lands or other property have no owner, as when a man dies intestate and without heirs, the King takes them; but his title must in most instances be verified by an inquest or jury, before seizure.

The granting of pardons is another royal prerogative. In some extraordinary cases, however, the King cannot oppose the course, or remit the execution of the law. 1st. The committing any man to prison out of the realm is, by a statute passed in the reign of Charles II.,

* It was not till long after the Conquest that the kings of England ceased, occasionally at least, to attend and take part in the proceedings of their courts of law. In the time of Henry II. the king used to assist in the administration of justice both in the *curia regis* and in the exchequer. Henry III. is mentioned as having repeatedly sat in Westminster Hall with his judges; and, on one occasion, when a verdict had been given against him, and the opposite party demanded judgment, he withdrew his suit in open court. We are told that Edward IV. sat in the king's bench for three days together, but it is not said that he interfered with the proceedings of the court. It is reported of James I. that he also sat there in person, but that he was told by his judges he could not deliver an opinion. *Allen's Rise of the Prerogative*, p. 97.

an unpardonable offence; 2nd. The King cannot pardon a person guilty of a common nuisance while it remains unredressed, though afterwards he may remit the fine; neither, 3rd, can the King pardon an offence against a popular or penal statute after information brought by an informer or person entitled to the whole or part of the penalty, the informer being considered to have acquired a private property in his part of the penalty, which the King cannot remit. And a special provision to that effect in the Act of Settlement declares that no royal pardon shall obstruct any impeachment by the Commons in parliament; though after the impeachment has been heard and determined, it does not appear that the royal grace is further restrained.

Besides being the fountain of justice, the king is also the fountain of honour, office, and privilege. Titles of nobility, baronetage, and knighthood, are conferred by his immediate grant, either as in the creation of peers, already mentioned, by writs or letters patent, or by corporeal investiture, or ceremony unaccompanied by any instrument, as in the creation of a knight. The King erects and disposes of offices; but as he can annex no fees to any new office without consent of parliament, this prerogative is of little moment. He may also confer various privileges on private persons; such as giving place or precedence to certain individuals, or granting letters of denization to persons born out of his dominions, by which they obtain certain privileges of natural-born subjects.

The King is the chief and supreme governor of the national church. This dignity was conferred upon him at the time of the Reformation by the 26 Henry VIII., c. 1, which enacts that the King is the only head on earth of the Church of England, and has all authority thereto annexed for the reformation and correction of all errors, heresies, and abuses, which could be amended by any spiritual jurisdiction whatsoever. In virtue of this power the King convenes, prorogues, regulates, and dissolves ecclesiastical synods and convocations. He may, also, erect spiritual colleges or chapters, may suppress or erect bishoprics, sanction appropriations, adjudicate upon spiritual causes on appeal, and do other similar acts to which the concurrence of the Pope was long considered essential.

The King's right of nomination to vacant bishoprics and certain other ecclesiastical preferments, arises rather from original or presumed foundership, than from his spiritual supremacy.

The King has authority at common law to regulate internal commerce. His prerogative in this respect may be classed under the following heads:—

1. The establishment of markets and fairs, with the tolls thereto belonging, which can only be set up by the King's grant, or be exercised by long and immemorial custom, which presupposes a grant.

2. The King has, at common law, the exclusive right of coining money and issuing coins, of calling in the current coin of the kingdom, fixing the values at which foreign coins shall circulate therein, &c. But the standard weight and purity of our coins having been fixed by statute, cannot be varied by proclamation of the King. The regulation of weights and measures was included by Blackstone, (i., 274,) among the royal prerogatives. It must now, however, be excepted

from them, everything relating to weights and measures being at present determined by the Acts 5 Geo. IV. c. 74, 6 Geo. IV. c. 12, and 5 and 6 Will. IV. c. 63.

King's Councils.—The King is assisted in the discharge of these various duties by several councils, independently of the parliament or great council of the realm.

Peers.—The first of these consists of the peers of the realm, who are by birth hereditary councillors of the Crown, and may be called together by the King to impart their advice in all matters of national importance. This council, however, as distinct from the peers in parliament, has long since fallen into disuse. Every peer of the realm may demand an audience of the sovereign to offer his advice, or tender his opinion, on matters of importance; but such advice is rarely offered.

Privy Council.—Another council belonging to the King is the Privy Council, usually styled, by way of distinction, "the Council." This council consists of such persons only as the King may appoint, with the exception of the mayor of London, who is *ex-officio* a privy councillor, and, as such, is summoned to the first council on the accession of a new King. Privy councillors consist generally of the principal nobility and leading political commoners of the kingdom. As the members are chosen by the King, so he may at pleasure discharge all or any of them, and select new ones. The Privy Council is dissolved by the demise of the Crown; though, like parliament, its existence is now prolonged for six months thereafter, unless previously dissolved. No particular qualifications are necessary for privy councillors; all that seems to be required is, that they shall be natural-born subjects and ready to take the oaths, from the tenor of which their duties may be best gathered. These are, 1st, to advise the King according to the best of their ability and discretion; 2nd, to advise for the king's honour and the public good, without partiality, through affection, love, need, doubt, or dread; 3rd, to keep the King's counsel secret; 4th, to avoid corruption, and to help and strengthen the execution of what shall in council be resolved; 5th, to withstand all persons who may attempt the contrary; and, lastly, in general to do and keep all that a good and true councillor ought to do and keep to his sovereign lord. The judicial duties of this council will be noticed hereafter among the courts of justice.

Cabinet Council.—This body, though without any recognised legal existence, constitutes, in effect, the government of the country. It consists of a certain number of privy councillors, comprising the principal ministers of the Crown for the time being, who are summoned to attend at each meeting. The name is said to be derived from the cabinet of Queen Henrietta, in which the advisers of Charles I. were accustomed to meet. The number is usually from 10 to 12. The First Lord of the Treasury, the Chancellor, the Chancellor of the Exchequer, the President of the Council, the three Secretaries of State, (Home, Foreign, and Colonial,) are always, in practice, members of the Cabinet. Some other offices are usually, but not invariably, accompanied by a seat in it.

The influence which the sovereign exercises over the deliberations of

the Cabinet, and the degree of executive power that centres in him personally, necessarily differ very greatly at different periods, inasmuch as they materially depend on his character and capacity, and on the state and character of parties. At different periods since the Revolution, Parliament has compelled the Crown to dismiss one set of ministers and to choose another, in opposition to its own predilections; but such ministries have rarely enjoyed much real power or been very lasting. Whichever party in the state was known to have the countenance and to enjoy the confidence of the Crown, has generally contrived, in no very long period, to secure a majority in parliament. Hence it is that from the Revolution down to the accession of George III., the Whigs, with the exception of a few short intervals, were constantly in power; and that the Tories held, with similar exceptions, the reins of government from the accession of George III. down to the introduction of the Reform Bill. But it is doubtful whether such will be the case in future. It was comparatively easy for the Crown to deal with the proprietors or patrons of nomination boroughs; but the support of such persons is no longer sufficient to secure a majority: the favourable opinion of the constituent body in general must now be also conciliated; and no ministry whose proceedings should be disapproved of by the bulk of the middle classes, could hope to obtain a majority in the event of a dissolution, however high they might stand in court favour. Whether the nation shall be better or worse governed in time to come than it has been since the Revolution, experience only can decide; but there can be no doubt, speaking generally, that the government must henceforth be conducted more in accordance with the opinion of the public. Still, however, the influence of the Crown is very considerable; and when parties are nearly balanced in the country and in the House of Commons, it may be able to turn the scale in favour of whichever party it espouses. But it is no longer in the power of the Crown to make any effectual resistance to a decided majority in parliament, otherwise than by enlisting the public sympathies in its favour. If it cannot do this, there is nothing for it but to submit to be dictated to by the leaders of the dominant party for the time being. And this, in fact, is the decisive criterion of a free government—that the highest authority in the state should be obliged to act in accordance with the public voice as expressed by its representatives.

Not only are the legislative measures proposed by the Crown, and the conduct of the internal government of the country and its foreign relations with other states entrusted to ministers, but they have also, as already stated, the disposal of all or by far the greater part of the patronage belonging to the Crown. Offices involving no political responsibility, such as those of the household, have been sometimes excepted from this rule, and left to be filled up by the sovereign according to his personal predilections; but this is not by any means a uniform practice, and ministers have repeatedly required and obtained the disposal of these offices.

Generally speaking, patronage in a country like England is always exercised with a view to the acquiring or preserving parliamentary support. Absolute monarchs, such as Napoleon, the Kings of Prussia, and the Emperors of Austria and Russia, may select individuals to

fill offices on the sole ground of their superior fitness to discharge their duties. But in a free country suitableness for office is not the only thing to be attended to in deciding upon the comparative claims of candidates for official preferment. If they possess it, so much the better; but the primary consideration is, how is the government to be carried on? Now this, it is plain, will be best effected by securing the active support of the friends of government, and by weakening the party of their opponents; and the distribution of patronage is the principal means by which these objects are to be realized. A government that should neglect to avail itself of this power could not long exist. Hence in England nine out of every ten situations are disposed of on the recommendation of persons possessed of parliamentary influence. This, in fact, is the *via regia* to preferment and state distinction. In filling up the more conspicuous situations, the talents and acquirements of the candidates, as well as, their recommendations, must necessarily be taken into account; but in the great majority of cases parliamentary patronage is the *sine quâ non*. Were the government more popular than it is, this result would be still more apparent. A man of ability in Prussia, without connections, has a better chance of getting on, if he devote himself to the public service than in England; but, at the same time, the chances of such a person being advanced are infinitely greater here than in the United States. In the latter, everything is sacrificed to party considerations; and the most splendid talents and capacity to render great public services would never advance their possessor one step on the ladder of promotion if he happened to be of a different party from that in power at the time, or to want party support. The reason is, that in England parliamentary influence predominates merely, whereas in America it is everything; and everything must, in consequence, be made subservient to its support.

Officers of State and King's Ministers.—In England, as in other countries, the sovereigns early found the advantage of surrounding themselves with councillors, or rather with servants, more submissive and more useful for their purposes than those great state functionaries who originally possessed the chief weight and influence in their several departments. Hence, of the ancient great offices of State, one only, the Lord High Chancellorship, can be regarded as now subsisting in the full extent of its pristine power and importance. Some have become altogether obsolete; others are kept in commission, and their duties divided among several persons; others confer little more than titular dignity.

The great officers of state are,—

1. The Lord High Steward. This officer is now only nominated when a coronation or an impeachment takes place, in which case he acts as President of the House of Lords.

2. The Lord High Chancellor, who will be subsequently noticed.

3. The Lord High Treasurer. For a lengthened period this office has not been filled. It is placed in commission, in the hands of officers styled Lords of the Treasury. The First Lord of the Treasury is usually Prime Minister for the time being. The Treasury has the control of all matters connected with the receipt and expenditure of the

public revenue, the appointment and superintendence of the Boards and Officers of Customs and Excise, Stamps and Taxes, Post Office, &c.

4. The Lord President of the Council (Privy Council), an office of great antiquity, revived in the reign of Charles II., and since continued. Its duties are little more than nominal; but it is attended, by custom, with a seat in the Cabinet.

5. The Lord Privy Seal. This officer has the custody of the King's Privy Seal, for the purpose of affixing it to charters, &c., as the Lord Chancellor has of the Great Seal. He also usually sits in the Cabinet.

6. The Lord Great Chamberlain. This office is hereditary, and has passed in succession to several great families. It is at present vested in females, by whom the deputy chamberlain is appointed. It is now merely a titular office, and not to be confounded with that of the Lord Chamberlain of the Household.

7. The Lord High Constable was also a hereditary officer, and had extensive military authority. None has been appointed, except on special occasions, such as coronations, &c., since the attainder and execution of Stafford, Duke of Buckingham, in 1521.

8. The Earl Marshal. This dignity is hereditary in the family of Howard, Duke of Norfolk. The Earl Marshal has various ceremonial duties, and a jurisdiction extending to a certain distance round the King's Palace at Westminster, which is executed by deputy.

9. The Commander-in-Chief has the control and disposal of all matters relating to the army; he regulates the marching and cantonment of troops; appoints and dismisses officers; authorizes courts martial, and confirms or annuls their decisions, &c.

10. The Lord High Admiral. This office has generally, though not uniformly, been in commission since the Revolution. The Commissioners are styled Lords of the Admiralty, the First Lord being usually a member of the Cabinet. The Board of Admiralty has the control and direction of all matters relating to the navy, the naval dockyards, &c.

11. The office of Secretary of State appears to have originated, or rather to have first assumed a character of importance, in the reign of Queen Elizabeth. At that time, however, the Secretary of State was not elevated to the rank of a member of the Privy Council, but attended its deliberations in an inferior capacity. The number of Secretaries of State has varied at different times; but the office has continued to increase in importance, and its holders may at present be said to discharge most of the higher functions of the executive government. It is divided into four branches,—the offices of the Secretary of State for the Home Department, Foreign Department, Colonies, and the Secretary to the Lord Lieutenant of Ireland. Each office has two Under-Secretaries; one permanent, for the discharge of the regular business of the office, the other a political functionary, depending on the changes in the Cabinet. The Home Office exercises a general superintendence over the police and magistracy of the country, and over the execution of justice. The duties of the Foreign Office embrace all negotiations and other matters connected with our intercourse with foreign powers, including the nomination and recall of ambassadors, consuls, &c. The Colonial Secretary has the management of all

affairs connected with the colonies. The Secretary of State for Ireland is the representative, in parliament, of the Irish Government, and is usually, in effect, the officer principally charged with its conduct. All four are members of the Cabinet. The government of Scotland is, in effect, vested in the Lord Advocate, or principal law officer for that part of the kingdom.

12. The Secretary at War has a distinct department, being the ordinary channel of communication between the Government and the Commander-in-Chief and other military authorities.

13. The affairs of our East Indian possessions, so far as these are subject to the control of the King's Government, are transacted, according to the provisions of Mr. Pitt's Act of 1784, by a Board of Commissioners, commonly termed the Board of Control.

14. The Board of Trade and Plantations consists of a Committee of the Privy Council, having cognizance of all matters relating to the commerce and navigation of the country.

15. The Post Office is under the control of an officer styled the Postmaster-General.

SECT. II.—*Officers employed under the Crown in the Administration of Justice.*

The Lord High Chancellor. His office is very ancient, and is said to be derived from the Roman empire. Originally he had the supervision of all charters, letters patent, &c.; and hence he was intrusted with the care of the King's great seal, the mere delivery of which into his hands constitutes him Chancellor, no further ceremony being necessary; his dismissal or resignation is, in like manner, effected by its redelivery. In point of precedency he is superior to all temporal lords except princes of the blood royal, as he also is to the spiritual lords with the exception of the Archbishop of Canterbury, to whom he ranks next. He is privy councillor by virtue of his office; and, according to some, Speaker of the House of Lords by prescription. He appoints, in the King's name, all justices of the peace throughout the kingdom. Being generally, in former times, an ecclesiastic (few laymen being then capable of holding an office so conversant with writings), and officiating at the royal chapel, he became keeper of the King's conscience; visiter, in right of the King, of all hospitals and colleges of the King's foundation; and patron of all the King's livings under the value of 20 marks in a valuation made in the reign of Henry VIII., called the King's Book. In virtue of a delegated authority from the Crown, he has the guardianship of all infants, idiots, and lunatics, and the general superintendence of charities. His functions as chief judge in equity will be noticed hereafter.

The officers next in dignity employed in the administration of justice, are the judges; but, as they differ in the different courts, we shall defer noticing them until we notice the courts over which they respectively preside. With the judges, the higher order of officers may be said to terminate. All of them, in a certain sense, represent the King himself: they act in his name, and possess a general jurisdiction throughout the kingdom. Those whom we are now about to mention are of a subordinate and local character.

England, it is to be observed, is, for civil purposes, divided into counties or shires, hundreds, and tithings, townships, or vills, the last three of which, in a legal sense, are synonymous. In some counties there are intermediate divisions between the shire and the hundreds, as the lathes in Kent, and the rapes in Sussex, each of which contains several hundreds; some of the larger counties were, moreover, originally divided into trithings; but the only county in which this triple division still continues to exist, is Yorkshire, where they are known by the name of ridings. Each of these divisions originally had, and, to a certain extent, still retains, its proper officers. With respect to cities and boroughs, some have been created by the Crown into counties, and as such are entirely detached from the county in which they are locally situated; others which remain within the body of the county, are exempted from the interference of the King's officers, and are governed by local authorities, created by charter, or sanctioned by prescriptive usage. Three of the counties—Chester, Durham, and Lancaster—are called counties palatine; the two former had a very early origin, and are therefore palatinates by prescription, or immemorial custom; the latter was created by Edward III. in favour of Henry Plantagenet. Their owners had formerly *jura regalia* in these counties, as fully as the King himself, whose great feudatories they continued to be. They formed, in fact, small kingdoms within themselves; and the lord possessed powers over them similar to those of the King over the rest of the kingdom, as well in civil as in criminal cases. The powers of the owners of these franchises were, however, long ago much abridged (27 Hen. VIII.); but, until the late Act for remodelling the see of Durham, the county palatine of Durham remained in the hands of a subject.

County Officers.—The principal county officers are the sheriff, the *custos rotulorum*, the justices of the peace, the clerk of the peace, and the coroner.

1. Sheriff is, in Saxon, *scire-gerefa*, that is, the reeve or *prepositus* of the shire. His office was partially identified with that of the *comes*, or earl, whose substitute he was, and to whose ministerial duties he succeeded under the name of viscount (*vice-comes*). His district is coextensive with that of the *comitatus*, or county, which, at the Conquest, also obtained the name of his bailiwick (*balliva*).

The sheriff is chosen annually: at common law he was chosen by the freeholders; but by statutes 9 Edward II., st. 2, 14 Edward III., st. 1, c. 7, 23 Henry VI., c. 9, and 21 Henry VIII., c. 20, he is to be appointed yearly on the morrow of All Souls (since altered to the morrow of Saint Martin), at the Exchequer, by the Chancellor, Treasurer, President of the King's Council, Chief Justice, and Chief Baron. And the custom now is for the judges, together with the above-mentioned officers, to meet in the Exchequer on the morrow of the last-mentioned day, when the judges propose three persons to be reported, if approved of, to the King; who afterwards appoints one of them (usually the first on the list) sheriff. No definite qualification seems to be required for the office except that, holding an accountable situation, and being responsible both to the Crown and to those private persons whom he may have injured by the negligent or improper performance of his functions, he is

required by several statutes to have sufficient land within the shire to answer the King and his people. In practice he is usually a person of consideration and substance in his county. If any reasonable excuse can be alleged for declining this onerous office,—as that the individual chosen is of small fortune, an officer in the militia, abroad, or the like, —it will be received. The stat. 1 Rich. II., c. 11, enacts, that no man who has served in the office shall be again elected within three years. A sheriff may, however, hold his office after the year, if not before lawfully discharged; and by 1 Anne, c. 8, all officers appointed by the preceding King may hold their offices for six months after the King's demise, unless sooner displaced by his successor. If a sheriff die before his office has expired, the under-sheriff executes the same in the deceased sheriff's name till a new one is sworn; and is answerable for the execution of the office as the deceased sheriff would have been. If any one, fully qualified and chosen, refuse the office of sheriff, he is liable to a criminal information. The Earl of Thanet is hereditary sheriff of Westmoreland; and the livery of London elect the sheriffs for London and Middlesex.

The duties which the sheriff has to perform are numerous: he has to act as a judge; as the keeper of the King's peace; as a ministerial officer of the superior courts of justice; and as the King's bailiff.

In a judicial capacity, or rather in a capacity partly judicial and partly ministerial, he presides at the county and hundred courts, and also upon the execution of writs of inquiry, and of writs of trial issued under 3 and 4 Will. IV., c. 42. He presides at the election of knights of the shire (subject to control by the House of Commons) and of coroners, returning such as are duly elected. The provisions for registration under the Reform Bill have reduced this duty within very narrow limits.

The sheriff, as well as the constable, coroner, and certain other officers of the King, are, by the great charters, expressly forbidden to hold any pleas of the Crown, or, in other words, to try any criminal offence upon an indictment. Neither can the sheriff, during the continuance of his office, act as an ordinary justice of the peace. He formerly held his tourn or leet regularly once or twice in the year for matters within its jurisdiction.

As keeper of the King's peace, he may apprehend and commit to prison all persons who break, or attempt to break it; and may bind any one in a recognizance to keep it: but such precautionary measures are now usually taken by the justices of the peace. He is bound, *ex officio*, upon proper requisition, to pursue and take all traitors, murderers, felons, and other misdoers, and to commit them to gaol for safe custody. He is also bound to defend his county against the King's enemies, should they come into it; and for this purpose, as well as for keeping the peace and pursuing felons, he may command the adult male population of his county to attend him in arms. The force so raised is called the *posse comitatus*, or power of the county. But it is hardly necessary to say, that the Crown no longer relies on the sheriffs for the defence of the realm, and that the *posse comitatus* is not organised so as to be an efficient force even in the case of internal disturbance.

In his ministerial capacity, the sheriff is bound to execute all writs and other process issuing from the King's courts of justice, and directed to him; and, if necessary, to arrest and take charge of the defendant. When a cause comes to trial, he must summon and return the jury; and when it is over, he causes the judgment of the court to be carried into execution. In criminal matters he returns the juries, attends the judges during trial, and executes by deputy or personally the sentence of the court, even though it be death. The bailiff, gaoler, and executioner, are looked upon as his officers, and, to a certain extent, he is answerable for them.

As the King's bailiff, it is his business to preserve the rights of the King within his bailiwick; for so his county is usually called in writs. Further, it is his duty to watch over the King's rights; to seize to the King's use lands devolved to the Crown by attainder or escheat; to levy fines and forfeitures; to seize and keep waifs, wrecks, estrays, and the like, unless granted to some subject; and to be accountable for these and other sources of revenue to the King's officers of the Exchequer.

The Custos Rotulorum is also a county officer of high dignity, and bears the same rank in civil affairs that the *Lord-lieutenant* does in military. Of late years the two offices have been usually vested in the same individual; but they are totally distinct, both in their appointments and their duties. The *custos rotulorum* has, as his name implies, the custody of the rolls and records of the sessions of the peace, though, in point of law, they remain in the custody of all the justices. The appointment is made by the King's commission; unless the King, or his progenitors, have, by letters patent, granted any liberty in particular districts to appoint the *custos rotulorum*, in which case the lord of the liberty exercises the power. The *custos rotulorum*, having, by virtue of his office, the custody of the rolls of session, should attend the session either personally or by his deputy, who is the clerk of the peace, and is appointed by him. The *Lord-lieutenants* of counties became standing officers of the Crown about the reign of Henry VIII.; they represent the Crown in the management of the militia of each county.

Clerk of the Peace.—This officer, appointed as above mentioned, is responsible to the justices in session for the performance of his duties. It is his duty, by himself or his deputy (who must be approved by the *custos rotulorum*), to be in constant attendance on the Court of Quarter Session. He gives notice of the time of its being holden or adjourned, issues its process, records its proceedings, and executes all the ministerial acts necessary to give effect to its decisions. He receives bills of indictment from the grand jury; calls over the petty jury; arraigns prisoners; receives and records verdicts; administers oaths; and makes true entries of all proceedings. The table of fees to be taken by the clerk of the peace is settled by the justices in their Court of Quarter Session, and subsequently submitted to the justices of assize for their approval.

The Coroner (*coronator*, so called from having principally to do with pleas of the Crown, or those wherein the King is more immediately concerned) is a very ancient common law officer. The Lord

Chief Justice of the King's Bench is, *ex officio*, the principal coroner in the kingdom, and may, if he please, exercise the jurisdiction of a coroner in any part of the realm. But there are also particular coroners for every county, usually four, but sometimes six, and sometimes fewer. This officer is of equal antiquity with the sheriff, and was ordained, together with him, to keep the peace, and to inquire concerning the rights of the Crown.

The Coroner is chosen by the freeholders in the County Court, as was formerly the case with sheriffs, conservators of the peace, and other officers. A writ at common law issued to the sheriff, commands him "to cause to be chosen such a person who may best know and be able to attend to that office." The coroner is chosen for life, but may be removed either in consequence of being made sheriff, or by the King's writ *de coronatore exonerando* for cause therein assigned—as, that he is engaged in other business; incapacitated by years or sickness; hath not a sufficient estate in the county, or lives in an inconvenient part thereof: and by st. 25 Geo. II., c. 29, extortion, neglect, or misbehaviour, are also made causes of removal.

The office of coroner is, also, like that of sheriff, both judicial and ministerial. This is, in a great measure, ascertained by statute 4 Edward I., *de officio coronatoris*, and consists, first, in inquiring when any person is slain, or dies suddenly, or in prison, concerning the manner of his death, which he must do on inspection of the body; for, if the body be not found, the coroner cannot sit. He must also sit at or near the place where the death happened, and make his inquiry by a jury of at least 12 persons from the neighbouring towns. If any be found guilty by this inquest of murder or other homicide, he is to commit them to prison for further trial, and is also to inquire concerning their lands, goods, and chattels, which are forfeited; he must inquire whether any deodand has accrued to the King, or the lord of the franchise, and must certify the result of the inquisition (under his own seal and the seals of the jurors), together with the evidence thereon, to the Court of King's Bench, or to the next assizes. Another branch of his office is to inquire concerning shipwrecks, and certify whether there be wreck or not, and who is in possession of the goods. Concerning treasure-trove, he is also to inquire who were the finders, and where it is, and whether any one is suspected of having found and concealed a treasure; and, if so, to attach him, and hold him to bail upon the suspicion.

The coroner acts ministerially as the sheriff's substitute; for, when just exception can be taken to the sheriff for suspicion of partiality (as that he is interested in the suit, or of kin to either plaintiff or defendant), the process for execution of the King's writs must be awarded to the coroner instead of the sheriff.

Justices of the Peace.—The next species of subordinate magistrates are the justices of the peace, the principal of whom is the *custos rotulorum*, already mentioned. The Lord Chancellor or Keeper, the Lord Treasurer, the Lord High Steward of England, the Earl Marshal, the Lord High Constable of England (when any such officers are in being), and all the justices of the Court of King's Bench (by virtue of

their offices), and the Master of the Rolls (by prescription), are general conservators of the peace throughout the kingdom, and may commit all breakers of it, or bind them in recognisances to keep it; the other judges are only so in their own courts. The sheriff and coroner are conservators of the peace within their own county, and either of them may take a recognisance or security to keep it. Constables, tithing-men, and the like, are also conservators of the peace within their respective jurisdictions, and may apprehend actual breakers of the peace, and either detain them to prevent a further breach, or bring them before a justice to inquire, commit, or take bail to answer for the past offence.

The ancient conservators of the peace were appointed in various ways, and were often chosen by the general body of freeholders of the county; but their duties were ministerial, and rather resembled those of modern constables than of justices of the peace, whose office originated in the reign of Edward III. The latter are appointed by the King's commission under the great seal, the form of which was settled by the judges in 1590. This appoints them jointly and severally to keep the peace, and any two or more of them to inquire of and determine felonies and other misdemeanors; in which number some particular justices are directed to be always included, and no business is to be done without their presence, the words of the commission (when in Latin) running thus, "*quorum aliquem vestrum A, B, C, D, &c., unum esse volumus,*" whence the persons so named are usually called justices of the *quorum*. Formerly it was customary to appoint only a select number to be of the *quorum;* but now the practice is to repeat the names of all over again in the *quorum* clause, excepting, perhaps, some one person for the sake of form; and no exception is now allowable for not expressing in the form of warrants, &c., that the justice who issued them is of the *quorum*. When any justice intends to act under this commission he sues out a writ of *dedimus potestatem* from the clerk of the Crown in Chancery, empowering certain persons therein named to administer the usual oaths to him, after which he is at liberty to act. The only qualification seems to be that required by statute 5 Geo. II., c. 11, which makes it necessary that every justice shall have lands to the value of 100*l.* per annum clear of all deductions; if he act without such qualification, he forfeits 100*l.*

The office of these justices is determinable—1st. By the demise of the Crown; that is, in six months after. But, if the same justice be put in commission under the new monarch, he shall not be obliged to sue out a new *dedimus*, or to swear to his qualification afresh; nor, by reason of any new commission, to take the oaths more than once in the same reign. 2nd. By express writ, under the great seal, discharging any particular person from being any longer justice. 3rd. By a writ of *supersedeas*, which suspends the power of all the justices, but does not totally destroy it, as it may be revived again by another writ, called a *procedendo*. 4th. By a new commission, which virtually, though silently, discharges all the former justices that are not included therein; for two commissions cannot subsist at once. And, 5th. By accession of the office of sheriff, which suspends that of justice.

The power, office, and duty of a justice of the peace depends on his commission, and on the several statutes which have given justices jurisdiction in particular matters. His commission empowers him singly to preserve the peace; and, thereby gives him all the power of the ancient conservators in suppressing riots and affrays, in taking securities for the peace, and in apprehending and committing felons and other inferior criminals to prison to take their trial. It also empowers any two or more to hear and determine all felonies and other offences, which is the ground of their jurisdiction at sessions; but this will be noticed more fully afterwards.

Constables are of two sorts, high or hundred constables, and petty constables. The former originated in the Statute of Winchester, and are appointed at the court leets of the franchise or hundred over which they preside, or, in default of that, by the justices at their quarter sessions (which is now the usual way); and are removable by the same authority that appoints them. The petty constables are inferior officers of immemorial antiquity in every township, subordinate to the high constable of the hundred. Their office is *not* distinguishable at this day from that of headborough, borseholder, or tithing man. They are likewise chosen by the jury at the court leet, or, if no court leet be held, appointed by two justices of the peace.

The general duty of all constables, both high and petty, is to keep the King's peace in their several districts; and for that purpose they are armed with considerable powers of arresting and imprisoning, of breaking open houses, and of maintaining the peace by forcible means. Other duties have been from time to time superadded by statute.

CHAPTER IV.—Courts of Justice, Civil and Criminal, &c.

Sect. 1.—*Courts of Justice.*

Having thus briefly specified the officers employed in the administration of justice, we come next to the courts. In England, justice is always administered publicly; and a court of justice, by the common law of the land, is an open court, with no other restriction than what order, decency, and the due administration of justice, may require. No court of justice can be created but by the King's commission, and there are some, as courts of equity, which cannot now be created by the mere authority of the Crown. In the old courts, which have existed from time immemorial, this origin is presumed, though no record of it now remains, and though there may be reasonable historical evidence that it never in fact existed. The creation of a new superior court by the sole prerogative of the King would, however, be attended with considerable difficulty at the present time; but the erection of inferior courts of known jurisdiction according to the course of the common law, such as a leet or a civil court within a borough, could, it is apprehended, be even now effected without difficulty where no subsisting statute precludes it, and no public or private rights are injured. As it is by the King, as head of the executive, that courts

are established, so it is from him that they are considered as deriving their authority. The judges are his representatives, and an offence offered to them is a contempt of his authority.

Some courts have only a criminal, some only a civil, jurisdiction, others both. Some are superior courts, others inferior; the superior courts are the courts of general jurisdiction, such as those at Westminster; the courts of assize, oyer and terminer, and similar sessions; the courts of counties palatine; the ecclesiastical courts at Doctors' Commons, and some other courts, of which the jurisdiction is limited as to matter or locality. The inferior courts are, amongst others, county courts, courts of conscience, courts baron, and borough courts. Some, again, are courts of record; others not. A court of record is one in which the record of the proceedings (which is kept in all courts) is of such high authority, that no evidence will be admitted in contradiction to it as between the parties to that record; and the record itself is enrolled in parchment, and deposited in public archives for perpetual memorial. The courts of equity never enrol their proceedings, and are therefore not held to be courts of record.

Every court is provided with an apparatus for the discovery of controverted facts, for the application of the law to those facts, and for enforcing the judgment pronounced thereon. It has, in addition, officers to record its proceedings; to issue its process; and to carry it into execution; and it admits the intervention of certain recognised agents to carry on the proceedings between litigant parties, who though they may not be strictly its officers, are, to a certain extent, under the control of its judges, to whom they are amenable in a summary way for misconduct and malpractices. To this class of persons, whose business it is to advance the ends of justice by securing to each party before the court a full hearing and a satisfactory discussion of their relative claims and merits, belong counsel, solicitors, attorneys, and proctors. It is the duty of the three latter classes to receive their client's instructions, collect the necessary evidence, and conduct the case through the formal part of the proceedings. They then lay it before counsel, who apply the law to the facts, and, on the hearing, attend at the bar of the court, examine witnesses, and urge such arguments either of law or fact as the case may admit in support of their clients.

Attorneys.—All attorneys of the superior courts, before being admitted to practice, must serve a clerkship of a certain length, and undergo an examination by a board of examiners appointed for the purpose: upon their admission, which is made by a formal entry on the rolls or books of the court, they become, in all matters relating to their professional duties subject to its authority and control. In cases of extreme misconduct, the court in which they are admitted will strike them off the rolls; after which they cannot legally practise in it. When admitted to practise in the Court of Chancery, they are termed solicitors. The corresponding officers of the ecclesiastical and admiralty courts are called proctors.

Barristers are not, strictly speaking, officers of the courts. It is perhaps in the discretion of the judges to permit whom they please to practise in their respective courts; but long established custom sanctions the admission of none but such as are members of one of the Inns

of Court.* It is in these that the ceremony of calling to the bar takes place, after which the admission to practise in court is a matter of course. The only qualification required for being called, is, that the candidate should have kept a certain number of terms. Hitherto five years have in all cases been necessary, unless the candidate were of the degree of M. A. of one of the universities, in which case three were sufficient; by a late regulation, however, in some of the inns, any member may be called at the end of three years, if then of the age of twenty-five. No examination is now required, except in one. The terms are kept by the student's dining a certain number of times in the hall of the inn to which he belongs. If a barrister misconduct himself in the course of his profession, he may, it would seem, be silenced by the judge of the court in which he appears, and is subject to certain pains and penalties now disused. He may also, for good reason, be disbarred by the society of which he is a member.

Barristers, hitherto, have been divided into two degrees; utter barristers (now called, simply, barristers) and serjeants-at-law. Serjeants are sworn to do their duty to their clients; a duty which is equally incumbent on a barrister under the degree of serjeant, though not expressly required of him on admission. It is the practice to admit the judges to this order on their elevation to the bench. From the most eminent of these some are usually selected to be the King's counsel and King's serjeants, the two principal of whom are called his Attorney and Solicitor-General; the King's counsel have precedence, and a place within the bar, as it is termed, immediately in front of the bench; but this advantage may be given by royal patent without the party being one of the King's counsel. The Queen consort has also her Attorney and Solicitor-General, who sit with the King's counsel.

The number of practising barristers at present resident in London may perhaps be estimated at upwards of 1,000; attorneys are far more numerous, and, including country practitioners, amount to many thousands.

Barristers do not now, as formerly, practise indiscriminately in all the courts; the common law courts have one bar; the courts of equity another, which seldom interfere with each other. Others are not in the habit of appearing in any court, but are employed in drawing settlements, conveyances, and other instruments. These are termed *Conveyancers*. For this purpose, however, though usual, it is not essential, to be called to the bar.

The judicial functions differ in the different courts; in some, the same person is at once judge of law and fact; in others, the cognisance of law and fact is divided between a judge and a jury; the judge deciding matters of law, the jury matters of fact. The courts of equity, the ecclesiastical and the admiralty courts, which are framed upon the model of the Roman civil law, are of the first description; the common law courts of the latter. For this reason we shall defer speaking of

* The Inns of Court, of which there are four, viz. the two Temples, Lincoln's Inn, and Gray's Inn, are not chartered or incorporated, but private societies, in existence as early as the 13th century, for the education of lawyers, and over which the judges have a control as visiters. Originally, attorneys, as well as barristers, seem to have belonged to them; they are now confined to the latter.

the judges, until we come to speak of the courts in which they respectively preside.

Courts of Law.—Blackstone divides the courts of justice in England into such as are of a public and general jurisdiction throughout the whole kingdom, and such as are only of a limited jurisdiction in certain parts of it. Of the former, there are, 1st, the courts of common law; 2dly, the Privy Council; 3dly, the courts of equity; 4thly, the Court of Bankruptcy; 5thly, the Court for the Relief of Insolvent Debtors; 6thly, the ecclesiastical courts; and, 7thly, the courts maritime.

1. The principal permanent Courts of Common Law are, the House of Peers, the Court of Chancery in one of its departments, the Exchequer Chamber, the Court of King's Bench, the Court of Common Pleas, and the Court of Exchequer.

The House of Peers possesses at once a civil and a criminal jurisdiction; as a court of the former description, however, it is a court of appeal or error only. In criminal cases it has, moreover, jurisdiction to try high offences and misdemeanors upon impeachment by the Commons, and also treasons or felonies committed by persons having privilege of peers. The Court of King's Bench is a court both of civil and criminal jurisdiction; as a criminal court, however, it has no original jurisdiction, except over offences committed in the county in which it sits for the time being, and misdemeanors brought before the court by criminal information. The courts of Common Pleas and Exchequer have a civil jurisdiction only.

2. The jurisdiction of the Privy Council, as remodelled by a late statute, is chiefly appellate, and mostly confined to colonial and ecclesiastical cases. It is founded on the ancient jurisdiction of the King in council.

3. The Courts of Equity: the chief of these is the Court of the Lord Chancellor, with the courts of the Master of the Rolls and Vice-chancellors; and, as a court of appeal, the House of Lords. 4. The Bankruptcy Court, with the subordinate courts of the Commissioners of Bankruptcy. 5. The Court for the Relief of Insolvent Debtors, entirely founded on statute. 6. The Ecclesiastical Courts, which, though local, prevail throughout the kingdom, each ecclesiastical division having its own; thus there are the provincial courts, the diocesan courts, the archdeaconry courts, with others that are inferior: and, as an ultimate court of appeal, the Privy Council. And 7 and last, the Admiralty Courts.

The principal courts of limited jurisdiction are the courts of the counties palatine of Chester, Lancaster, and Durham, and the courts of the two Universities of Oxford and Cambridge, together with many others scattered through various parts of the kingdom, too numerous to notice. Almost every corporate town, indeed, has some privileged court of its own; thus, London has its Mayor's and Sheriffs' Courts, and its Court of Requests for the recovery of small debts; Bristol, its Tolsey Court; and Liverpool, its Court of Passage. No general rule can be laid down in respect of these courts, each depending for its jurisdiction and constitution on the peculiar terms of the charter, statute, or custom by which it subsists: they form, indeed, rather

exceptions to the general system, than parts of it. In our subsequent remarks, therefore, we shall confine ourselves to the courts of the former class: to attempt a detailed account of the latter would necessarily carry us beyond the limits prescribed for the present article, and be useless and uninteresting to the general reader.

Even the courts of general jurisdiction at first sight perplex the reader, and present various anomalies. The courts of equity, for instance, at this day of the highest judicial authority in the kingdom, are not courts of record, while the most insignificant local court-leet claims to be so. So the owner of property whose title is denied in the Common Pleas, receives countenance and support from the Chancellor. Upon these peculiarities it may be observed, that the judicial system of the country did not spring at once from the mind of the legislator in all the fair proportion of design; it is the work of various times and hands, made rather to meet the necessities of the occasion than framed according to any regular plan. To use Blackstone's simile, it resembles an old house which has been pulled down and altered and added to, to suit the habits or convenience of successive proprietors. As civilisation advances, and the increasing or varying wants of a nation render it necessary, improvements and additions are made without aiming at symmetry, or attempting to give the heterogeneous mass the appearance of order and regularity. This has been the case with the courts in England: we have the leets and county courts of the Saxons, the exchequer of the Normans, the chancery of the Lower Empire, and the consistorial courts of the Canonists. Some have originated in necessity, others owe their existence to accidental circumstances; some seem to be united together in a general system, while others, from change of time and circumstances, have become altogether useless and obsolete. We shall here briefly point out the origin of each.

We have very scanty means of ascertaining the nature of the judicial system of the Saxons, though it seems to have possessed considerable merit, and was certainly in much favour with those subject to it. Under the Saxons, England was for the most part divided into shires, hundreds, and tithings, townships, or vills. These divisions had each its peculiar courts and officers; justice was administered between parties in the county and hundred courts, and in the courts of such lords as had a jurisdiction annexed to their lands. An appeal lay for denial of justice to the King and his council; but no man was permitted to seek justice from him till he had failed in obtaining it at home. We have no satisfactory information in regard to the composition of these courts, but we know that they possessed an ecclesiastical as well as a civil and criminal jurisdiction: the bishop and the earl or ealdorman sat together until the attendance of the former was forbidden by a law of the Conqueror.*

The same tribunals for administering justice were continued for several reigns after the Conquest, though changes were made in the formation of the superior courts. The first improvement introduced, if not by the Conqueror, at least by the Norman princes, was the institution of a court in imitation of the Exchequer established in Normandy. A court called the *Curia*, or *Aula Regis* also appears very

* See *Edinburgh Review*, No. lxix. p. 10. 1 *Reeve's English Law*, 7, 8.

early in the history of those princes, and its rolls are among the most ancient judicial records in the archives of the country. The precise period when this court became a court of judicature distinct from the Great Council cannot now be distinguished; but in the 12th century we find the practice established of issuing writs out of Chancery, at the suit of parties, for the purpose of enabling them to implead in that court without previous recourse to the subordinate tribunals. The jurisdiction of the *Curia Regis* embraced both civil and criminal proceedings, and was attendant on the person of the King. But the Great Charter, by fixing the common or civil pleas to a certain place, necessarily detached them from the criminal judicature, and led to the formation of a separate court, afterwards called the Court of Common Pleas. At length, in the reign of Edward I., we find the whole judicial establishment subdivided and remodelled, and the three courts of the King's Bench, Common Pleas, and Exchequer, distinguished respectively as courts of criminal, of civil, and of fiscal cognisance.* At the present day these distinctions have been almost obliterated; and the three, in most civil cases, possess a concurrent jurisdiction. Until very lately, indeed, this was effected by a fiction: thus, every one bringing his action in the Court of Exchequer acknowledged himself a debtor to the King; and, in like manner, in the King's Bench, every one bringing a civil action was obliged to charge the person against whom he brought it with some offence against the Crown. But civil pleas between party and party in personal actions are now equally cognisable in all by uniform process, although each still retains its peculiar jurisdiction over certain pleas. Thus, the King's Bench alone maintains its pleas of the Crown; the Common Pleas its real actions (so far as they remain in force); and the Exchequer a certain exclusive authority on matters of revenue. This latter court had also an equitable jurisdiction; but this has been transferred within these few years to the Court of Chancery.

The courts of Assize and Nisi Prius, in their present form, owe their existence to the same monarch. Previously to his time, circuits were made by justices in eyre, or *itinere*, who, as already seen, were first established in the reign of Henry II. in 1176, by the Parliament of Northampton, with a delegated power from the King's Great Court, the *Aula Regis*, of which they were members. At first, these justices made their circuits round the kingdom once only in seven years; but afterwards they were required, by *Magna Charta*, to be sent into every county once a year. The present justices of assize, however, are more immediately derived from the statute of Westm. 2, 13 Edward I., c. 30, which directs certain persons to be assigned out of the King's sworn justices, who are to associate with them one or two discreet knights of each county.

These are the principal Common Law Courts. They are, for the most part, similarly constituted; and their proceedings all recognise and adopt the ancient common law of the land. The courts we have now to speak of are of an entirely different description, differently constituted, and professing different rules of law. They may be divided into two classes, which vary considerably from each other, as they

* 1 *Reeve's English Law*, 48. *Madox, Exchequer*, c. 3, and 19.

both do from those already mentioned, the courts of Equity and the courts regulated by the maxims of the canon and civil law. The courts of Equity were, perhaps, rendered necessary by the defects and inadequacy of the common law, though they profess to act in its spirit, and to aid its operation. The ecclesiastical and maritime courts, on the other hand, may be considered as existing rather in derogation of the common law than in support of it.

The peculiar jurisdiction of Equity, its origin and growth, have been matter of much learned inquiry; but all authorities seem to agree in the opinion that there are few evidences of its existence before the 15th century, and that its present form must be referred even to a later period.

The fiduciary system of the Roman law, adopted by the clerical chancellors for the purpose of modifying the system of the feudal tenures, appears to have given rise to the earliest instances of a jurisdiction purely equitable.

The hardships of military tenure having been severely felt, people were driven to devise various means for its evasion. The feudal tenant conveyed his property in due form to two or three persons, on whose honour he could depend, who were ostensibly and in the eye of the law the owners, but who (it was privately understood between them) were to allow the person who had so conveyed his property to them to enjoy and dispose of it as he pleased. Whenever any of them died, the property, according to the rules of the common law, went to the survivors; a new trustee was then appointed in the place of the one dead, and the others conveyed the property jointly to him with themselves: thus a constant succession was kept up. By this means no fines ever accrued to the lord on the admission of an heir; a person entitled was always in existence: neither was there any minority, during which the lord might enter and take possession of the land without accounting for the profits. Another advantage was, that the person beneficially entitled was enabled to devise or alienate his property at any time, and that, too, without the ceremonies required by law: he had only to signify to his trustees the person to whom he wished to leave or transfer the property, and, thenceforth, they held it in trust for him. There existed, however, only a moral obligation on the trustee to perform the trust; if he refused, the person who had confided in him had no redress. The common law courts refused to interfere: the law required certain formalities to invest a person with the possession of his property, and these had not been complied with: however just it might be that the person on whom his friend had relied should perform his trust, still it rested solely between him and his conscience, there was no power to compel him. At length the Chancellor, who being an ecclesiastic, asserted a peculiar right to interfere in matters of conscience, and who was not, perhaps, disinclined to seize an opportunity of aggrandising his power by creating a new jurisdiction, issued a writ summoning the party who had committed the breach of good faith to appear and answer for it in the Court of Chancery. It was out of this court, it must be remembered, that all writs issued with which proceedings commenced in the higher courts of justice; and, in those early times, it frequently

happened that the Chancellor not only had to issue, but, in cases where no precedent could be found, to invent writs so framed as to give relief on new emergencies. The *subpœna* has been thought to be a forced exercise of this power. In after times, the court, as we shall see, very much widened the scope of its jurisdiction; but this has been considered, by Blackstone, as its origin.*

It was not, however, without considerable opposition that this new assumption of power by the Court of Chancery was established; numerous petitions were from time to time, presented by the Commons to have the writ of *subpœna* declared illegal. The court, however, retained its jurisdiction, and the petitions of the Commons were ineffectual †

In consequence of this jurisdiction of the courts of Equity, the strange anomaly exists, that in Westminster Hall, within the space of a few yards only, different persons are regarded as the owners of the same estate. In the courts of Equity, the *cestui que trust* is treated as actual owner; in the courts of common law, the title of the *trustee* only is recognised.

In early times, the office of Chancellor was invariably held by churchmen. Sir Thomas More was the first Chancellor educated as a lawyer. After him the seals seem to have been held by lawyers and churchmen indifferently. The credit of forming our present system of equity jurisprudence, and of fixing the limits of its jurisdiction, is generally ascribed to the Earl of Nottingham, Chancellor in the time of Charles II. In practice, however, the decisions of Lord Hardwicke are, perhaps, most frequently referred to. In the chancellorship of Lord Ellesmere, in 1616, occurred the famous question between the courts of law and equity, whether the Court of Equity could give relief after or against a judgment at common law? The question was submitted to the King who referred it to his counsel for their opinion. They decided, as is well known, in favour of the courts of equity; and their power has ever since been acknowledged.

The reader must carefully distinguish between the Court of Chancery as a court of common law, and as a court of equity. Formerly its powers were chiefly active in the former branch of its jurisdiction, which was, and still is, called the *Latin* side, because its proceedings on this side were in Latin, like those of other common law courts. In modern times, its equitable jurisdiction, carried on by *English* bill and other comparatively recent methods of procedure, has attained a degree of importance that has thrown into obscurity its other and earlier functions.

It may not be out of place to observe here, that the distinction now adverted to between the use of Latin and English, as employed by the courts of common law and of equity, continued without intermission, except during the Commonwealth, down to 1730, when an act passed for the enrolment of all pleadings in English.

The *Ecclesiastical Courts* are next to be mentioned. In the Saxon times, as already seen, both civil and ecclesiastical causes were brought

* Another opinion derives this jurisdiction from the *concilium regis*. See *Hale's Jurisdiction of Lords*, p. 44. *Palgrave on the Council*, p. 40, *et seq.*

† 3 *Reeve's English Law*, 188.

before the same tribunal. William, however, soon after the Conquest, either from a wish to conciliate the Church, or from a fear that churchmen might engross the whole authority in the ordinary courts to the exclusion of laymen, separated the two. The ecclesiastics were thenceforward allowed to have exclusive cognisance in all masters relating to the Church, or in which its ministers were concerned, with the exception of criminal cases. In subsequent reigns, and particularly under that of Stephen, attempts were made by the churchmen to extend their jurisdiction to criminal matters. These pretensions were, however, disallowed by the "Constitutions," as they are termed, or articles agreed upon in a parliament held at Clarendon in 1164. They declare, among other things, that all clerks summoned to answer for a crime should come before the king's justices; that, if convicted, the church should afford them no protection; that ecclesiastics should not quit the realm without the king's license; that all causes not ecclesiastical should be determined in the king's courts; and that even in ecclesiastical causes no appeal should proceed beyond the archbishop's court without the king's assent.*

But despite these constitutions, the line of demarcation between the ecclesiastical and temporal jurisdiction was long the subject of dispute: in the end, however, the writ of *prohibition*, issuing out of the temporal courts, checked the usurpations of the former, and reduced their powers within moderate and well defined limits.

The Court of Admiralty was rendered necessary as England became a commercial nation: its institution is ascribed to Edward III. Necessarily involving, as it did, the wider principles of jurisprudence and international law, it was established, not improperly, on the principles of the civil law.

The Bankruptcy Courts, and the court for the relief of insolvent debtors, are courts which, in like manner, have been called into existence by the wants of the nation. The former have been remodelled by various late Acts. The first establishment of a court for the relief of insolvent debtors took place in the reign of Geo. III.

From the preceding sketch, it will be seen, that the subjects of this country are governed by at least three systems of law simultaneously administered through the medium of different courts: the civil or canon law; the law of chancery or equity; and the common law. Each yields to the other an exclusive jurisdiction within its peculiar sphere, while the common law asserts its claim to pre-eminence by exacting from the others a general subordination to its maxims. Thus, it has become a rule that "equity follows law;" and where the spiritual court deviates from its jurisdiction, or attempts to impugn a principle of the common law, a prohibition from one of the superior courts of Westminster reduces it to obedience.

The common law is the general and immemorial custom of the kingdom, and is emphatically the law of the land. Other laws only prevail by permission, and bear no relation to the general policy of our institutions. Of the origin of the common law no record remains. Hence it is called *lex non scripta;* not as being founded on the

* See the articles at length, in *Lyttelton's Life of Henry II.*, vol. iv., pp. 28 and 414.

universal law of reason, but as being traditional only and not founded on any known acts of the legislature. It rests on the decisions of the judges registered in the different courts, and preserved among their records. In matters of importance and nicety these original records are referred to; but, for ordinary purposes, *Reports* of the different cases in which any new question arises are printed and published from time to time. The reports contain a statement of the facts, a short outline of the arguments made use of by counsel, the authorities referred to, and the decision of the court. In early times, that is, from the reign of Edward II. to that of Henry VIII., these reports were made by officers appointed by the court specially for the purpose, and were then termed year-books. At present they are the work of private hands, generally a barrister's. So voluminous have they become, that an ordinary law library contains from 350 to 500 volumes, and every year adds three or four more, exclusively of the reported cases in equity and the ecclesiastical courts. The common law is continually undergoing alterations by Acts of Parliament, which thenceforth become the law of the land. It prevails in all the common law courts with the exception of those which are regulated by peculiar local customs of their own, differing, more or less, from the general common law of the kingdom. Particular customs are also to be met with in certain districts, as the law of gavelkind in Kent, borough English, the customs of manors, of the stannaries, and other local usages. The courts of equity, in a great measure, profess to adopt wider and more liberal principles of justice; but like the courts of common law, they are now chained down by the precedents of previous decisions, of which minutes are kept and reports made, as at common law. It is only when a new point arises, that a judge, either of law or equity, can exercise any latitude of decision; and, even then, he must be guided by existing principles of equity, and by the general analogies of law; this, indeed, is the meaning of his oath to decide "according to law."

The *ecclesiastical laws* are founded, for the most part, on the civil and canon law of Imperial and Papal Rome. The canons of the Church are said to have been adopted in England as early as the seventh century; but the system of laws at present in force depends upon the decretals and constitutions compiled and promulgated under the influence of successive councils and popes at various periods. In England, where the canon law has been considered in many points repugnant to the common law of the land, its authority has been restrained within narrow limits. So much of it only has been received as has been gradually accommodated to the habits and customs of the country; and the ecclesiastical laws may now be described, in the language of our statutes, as "laws which the people have taken at their free liberty by their own consent to be used among them, and not as the laws of any foreign prince, potentate, or prelate."

Present State of the Courts.—We now proceed to give a short outline of the several courts, as they at present exist, omitting those only which, though not formally abrogated, have fallen into disuse. The first in order are the Common Law Courts, which, as we have already said, are susceptible of a two-fold division, viz., into such as

have a civil, and such as have a criminal, jurisdiction. Many of them, indeed, have both; but as the same court differs materially in its civil and criminal capacities, we shall, for the sake of clearness, consider them separately.

SECT. 2.—*Courts of Civil Jurisdiction.*

1. *House of Lords.*—The House of Lords, under the technical name of the Court of our Lord the King in Parliament, is a court of record, and the highest court of judicature in the kingdom. Its constitution has been already described. It possesses at once a civil and a criminal jurisdiction: in its latter capacity it will be considered hereafter. As a civil court it has an appellate jurisdiction only, to rectify any erroneous judgment of the courts below on matters of law. In the execution of this duty, the Lords never receive any additional evidence, whether they sit on error from the common law courts, or on appeal from a court of equity.

The paramount jurisdiction of the *Magnum Concilium* under whatever name subsisting, from the most ancient periods of our history, has been already adverted to. The judicature of the Peers is the legitimate descendant and representative of this great council of the King in Parliament. A question may suggest itself to the reader, by what means this ultimate and supreme authority of the *Parliament* became vested exclusively in one only of its constituent bodies, the House of Peers? It must suffice to reply, that this question *has*, in fact, frequently occurred to our ancestors, and has been the subject of warm contest between the two houses; nor was it, until comparatively recent times, that the judicature of Parliament was finally settled to be the exclusive inheritance of the Lords. The reader who wishes to pursue this inquiry, will be abundantly satisfied by resorting to the learned treatise of Lord Hale on the subject, with the introductory observations of Mr. Hargrave.

The House of Lords is now, therefore, in all cases the court of last resort, from whose judgment there is no further appeal. Every subordinate tribunal must conform to its determinations. The Lords sit in the morning for the hearing of causes, when some of the law lords, including the Chancellor, or, in his absence, one of the deputy speakers, invariably attend; and by these, in fact, causes are decided, the lay lords seldom or never interfering in the matter. The appellate jurisdiction of the House of Lords over the courts of common law is only exercisable, it is to be observed, upon writs of error.

2. *Judicial Committee of the Privy Council.*—The Council has always exercised very extensive judicial functions, both original and appellate; but the secresy of its proceedings, and the undefined limits and irregular exercise of its authority, long rendered its jurisdiction the object of well founded distrust and suspicion.* The Star Chamber and Court of Requests, dissolved in the reign of Charles I., were offsets of this council.† In its former records are to be found the most

* As a court of common law, it has not been recognised by our constitutional lawyers; see *Hale's Jurisdiction of the Lords*, p. 5. See, however, *ibid.*, p. 37.

† *Palgrave on the Councils*, p. 38, 90.

startling deviations from the maxims and principles of the common law of the realm.* Since the Revolution, however, the proceedings of the Privy Council have been confined within known and reasonable limits; its decisions in matters affecting the rights of the subject have been openly promulgated, and it has lately undergone material amendment by the erection of the judicial committee. This court was established, or rather remodelled, by the 3 and 4 William IV., c. 41, which provides that the President for the time being of the Privy Council, the Lord Chancellor, and such of the members of the Privy Council as shall from time to time hold certain judicial offices enumerated in the Act, and also all persons, members of the Privy Council, who shall have been President thereof, or been Lord Chancellor, or held any of the above-enumerated offices, shall form "The Judicial Committee of the Privy Council;" power being, at the same time, given to his Majesty to appoint any two other persons, being Privy Councillors, to be members of the said committee. The court thus formed has succeeded to the jurisdiction of the Privy Council, with increased powers. The matters which come before it are, chiefly, appeals from the Ecclesiastical Courts, formerly tried by the delegates; from the Admiralty Courts in civil causes; from the decisions of the various courts of judicature in India, the Colonies, and the Channel Islands; matters of appeal and petition to his Majesty, which previously used to be heard before a committee of the Privy Council appointed for the purpose; petitions for the renewal and confirmation of patents; together with the consideration of all matters whatsoever which his Majesty shall deem it fit to refer to them. No matter, however, can be heard except in the presence of four members. The committee is expressly empowered to examine witnesses *vivâ voce*, or on written interrogatories, as they may think fit; and the necessary powers are given for compelling the attendance of witnesses, and the production of deeds and papers. The court may also, if it think fit, direct a cause to be reheard in the court below, or a feigned issue to be tried upon any matter of fact in the common law courts. It may also refer any question to its registrar to investigate, in the same way that the Court of Chancery does to one of its masters. The method of proceeding is by petition addressed to the King in council.

3. *The Court of Chancery.*—The authority of Chancery, as a court of common law, has been already alluded to. One of the most important duties of the Chancellor used to be the issuing of *original writs*, for the purpose of giving jurisdiction to other courts, in matters between party and party. In this character, it has been entitled the *Officina Brevium*. Proceedings in *scire facias* with a view to the repeal of any charter or letters patent of the Crown, are also instituted in this court on the common law side. Some other examples of its common law jurisdiction might be mentioned; but as its exercise is now of comparatively rare occurrence, they are omitted. It has not, nor ever possessed, the power of trying any issue of fact by a jury, but always remits it for trial to some one of the superior courts at Westminster. It should be observed, too, that the issuing of original writs has been much contracted by the new Process Act, which has given to

* See *Jardine on the Use of Torture*, ed. 1837.

each superior court the power of issuing a process of its own for the purpose of commencing all personal actions.

4. *The Exchequer Chamber.*—The next court in point of dignity is the Exchequer Chamber, which is also a court of record; it has an appellate, but no original jurisdiction. As originally constituted, it consisted of the Lord Chancellor and Lord Treasurer, with the justices of the King's Bench and Common Pleas; and the court so constituted still exists for some purposes. But the Exchequer Chamber, as an ordinary court of error, has been newly modelled by a late act, by which it has now an appellate jurisdiction over all the three courts at Westminster. As now constituted, the court, in cases of error from either of the three superior courts of common law, consists of all the judges of the other two.

5. *King's Bench, Common Pleas, and Exchequer.*—These are all courts of record. The highest of the three, in point of rank and jurisdiction, is the Court of King's Bench. In former times the King sate in it in person; and if required it would, even now, be obliged to be attendant on his person, wheresoever he might be in England; nor are early instances wanting of its having sat out of the realm. It has, however, been long stationary with the other two; and the King, though he may still, perhaps, have a right to be present, can no longer lawfully interfere in the proceedings. James I. is said to have been the last who made the attempt. The Court of Common Pleas ranks next to the King's Bench: it was, as previously stated, originally confined to pleas between subject and subject, though it has now obtained a somewhat more extended jurisdiction. An express provision of the *Magna Charta* made it stationary at Westminster. The Court of Exchequer originally was devoted exclusively to matters connected with the King's revenue, but it has long since become an ordinary court of justice.

In their constitution, these three courts very much resemble each other. In each there are at present five judges, viz., a chief and four puisne judges—in the Exchequer styled barons—with sundry inferior officers to conduct the formal part of the business. The number of judges in each court has often varied: there were usually four in each. The Lord Treasurer and Chancellor of the Exchequer in strictness are members of the court of Exchequer, but have long ceased to sit in it judicially.

In England, previously to the Revolution, judges held their situations *durante bene placito*, and might be removed by the sovereign; but when this is the case, as it still is in many countries, it would be too much to expect that the judges should manifest much independence in cases in which the Crown is concerned. Subsequently to the Revolution it was enacted, in order to provide in as far as possible for the independence of the judges, by the stat. 13 Will. III., cap. 2, that the commissions of the judges should be made *quamdiu se bene gesserint;* that their salaries should be ascertained and established; and that they should not be removable except by an address from both houses of parliament. Their commissions, however, continued to be vacated by the demise of the sovereign till the accession of George III., when it was enacted that the demise of the Crown should no longer vacate the

judges' commissions. Any complaint against the judges for misconduct in the execution of their duty must be referred to parliament; no ordinary tribunal can take cognizance of it. The respective salaries of the chief justices of these courts are fixed by the 2 and 3 Will. IV. c. 116 at 10,000*l.*, 8,000*l.*, and 7,000*l.* a year; the salaries of the puisne judges are the same, or 5,000*l.* a year each, in all the courts.

The three courts mentioned above sit at Westminster, for transacting business every day during term. The terms are four in number; and were framed by our ancestors, partly as marking the periods of the year when secular business might be transacted without interfering with religious duties, and partly with a view of avoiding the time when the people might be supposed to be engaged in necessary agricultural pursuits. They depended, in a great measure, on the moveable feasts. By a late Act, however, they have been fixed, with some variation in consequence of the Easter holidays, as follows:—

Hilary Term	begins	January	11th,	ends	January	31st.
Easter Term	—	April	15th,	—	May	8th.
Trinity Term	—	May	22nd,	—	June	12th.
Michaelmas Term	—	Nov.	2nd,	—	Nov.	25th.

The business of the judges is not, however, confined to their attendance upon their respective courts at Westminster. During vacation fourteen of them travel on the circuits, the other remaining in the metropolis to transact casual business. Besides this, during term a puisne judge attends every day at chambers in Serjeants' Inn. Two judges have to attend the New Central Criminal Court, and two must also attend to private bills, from twenty to thirty of which are usually referred to them in the course of a session. To this may be added their attendance in the House of Lords and on special commissions. They are, moreover, required occasionally to sit on judicial committees of the Privy Council, and to decide on appeals against tax assessments. When to these various and onerous duties are added the time necessarily consumed in investigating cases, preparing judgments, arranging minutes, &c., the reader will, perhaps, be disposed to think that the office of a judge is by no means a sinecure.

In the common law courts the judicial power is not vested exclusively in the judges; whenever the truth of any fact is in issue, it must be decided by a jury, who are in truth the *judges of fact.*

Juries.—Juries are of two kinds, grand and petty. The grand jury is confined exclusively to criminal courts, and will be noticed when we come to speak of them. The jury we have now to consider is the petty jury, which is the general and almost universal instrument for the investigation of truth in the common law courts, whether criminal or civil; though in the latter it is usually known by the name of the *common* jury, to distinguish it from the *special.* It consists, in civil cases, of twelve "free and lawful men," who must be taken from the body of the county in which the cause of action, or the *venue,* as it is termed, is laid. The jury process in crown cases usually styles them "honest" or "good and lawful men."

With the exceptions hereafter specified, the following persons are qualified to serve on juries for the trial of all issues, civil and criminal,

in the king's courts at Westminster, and at the assizes, and on grand and petty juries in the courts and sessions of the peace, in the county, riding, or division, where they respectively reside. (6 Geo. IV. c. 50.)

1. Every man between the age of 21 and 60 years residing in England, having in his own name, or in trust, 10*l.* *per annum*, of clear yearly income, arising from lands and tenements, whether freehold, copyhold, customary tenure, or ancient demesne, or rents issuing thereout in fee simple, fee tail, for his own or other person's life, or such income or rents jointly issuing, amounting together to the clear yearly value of 10*l.*

2. Every man having 20*l.* a year clear from lands or tenements held by lease for 21 years or upwards, or for any term determinable on any life or lives.

3. Householders assessed to the poor rate, or to the inhabited house duty, in the county of Middlesex, on a value of 30*l.*; in any other county, 20*l.*

Lastly. Persons occupying any house containing not less than 15 windows.

Persons residing in Wales are eligible to serve on juries who are qualified to the extent of three-fifths of any of the foregoing qualifications.

The following persons are exempted from serving on all juries and inquests whatever: peers, judges, councillors, attorneys, proctors, coroners, gaolers, and keepers of houses of correction; clergymen in holy orders; Roman Catholic priests, having taken the oath required by law; dissenting ministers, whose places of worship are registered, and who follow no secular occupation, except that of schoolmaster; officers of the army and navy on full pay; physicians, surgeons, and apothecaries duly licensed and actually practising; servants of the royal household; pilots licensed, and masters in the buoy or light service; officers in the customs and excise; officers of courts of justice actually exercising the duties of their offices; sheriffs officers, high constables and parish clerks. It was also resolved, in the session of 1826, that members of the House of Commons are privileged from serving on juries while attending their duties in Parliament.

No man, not being a natural born subject, is qualified to serve on juries or inquests, except on the trial of aliens; nor any person convicted of any infamous crime, unless he have obtained a free pardon; nor any man under sentence of outlawry or excommunication.

No justice shall serve on any jury at the sessions, for the jurisdiction of which he is a justice.

After serving and obtaining the sheriff's certificate, persons are free from again serving on juries for certain periods; in the counties palatine, or the principality of Wales, or in Hereford, Cambridge, Huntingdon, or Rutland, for one year; in the county of York, for four years; in any other county, except Middlesex, two years.

No one is qualified to serve on a sheriff's or coroner's ir quest, upon a writ of enquiry, who is not qualified to serve on a *nisi prius* jury: but this does not extend to inquests taken *ex officio*; nor to any city,

borough, liberty, or town corporate, in which the usual custom of the place must be observed.

The method of forming the jury lists is as follows:—In the first week of August in every year the clerk of the peace for the county, riding, or other district, issues his warrant to the high constables of the different hundreds, or other subdivisions, directing them in like manner, to issue their precepts to the churchwardens and overseers of the different parishes, requiring them to make out, before the first week of the September following, lists of all such persons within their respective parishes as are qualified and liable to serve. These lists, when made out, are fixed on the church door the three first Sundays in September, and copies are kept by the churchwardens and overseers for inspection. The lists are then revised by the magistrates at a petty sessions held for the purpose, when objections may be made by any person who thinks himself improperly inserted; after which they are transmitted to the high constable, who gives them at the next general quarter sessions to the clerk of the peace, to be by him placed among the records. A copy, however, is first made out in a book, which is called the jurors' book, and delivered to the sheriff. Out of this book the sheriff copies into another list, which is termed the special jury list, the names of all such as are described as esquires, or as persons of higher degree, or as bankers and merchants. The book and the list so made out come into use on the 1st of January in the succeeding year, and from them the sheriff selects his juries for the different courts, as occasion requires; from the former the common, and from the latter the special juries.

When a jury is required, writs issue to the sheriff directing him to summon one; and the sheriff thereupon issues his summons to the jurors, who must appear at the place of trial, pursuant to their summons: if they do not, they may be fined. At the trial the names of the jurors, if common, are written on separate pieces of card or parchment, and put into a box, out of which they are drawn one by one, when either party is at liberty to object.

The court may, on the application of either party, order a *special jury* to be returned. The method of selecting a special jury differs in some respects from that of choosing a common jury. When a special jury is required, a time is appointed previously to the trial, for both parties to attend the under-sheriff, when he copies from his special jury list the names of such as appear there, on separate pieces of parchment and puts them into a box, from which they are drawn one by one, in the same manner as in the case of a common jury: each party being at liberty to make objections. If any be objected to, that name is passed over, and another is drawn, and so on until the number of 48 is completed. If 48 names cannot be obtained from the special jurors' list, the officer shall fairly and indifferently take such a number of names from the common jurors' list as will make up that number: the officer then furnishes each party with a list of the names, places of abode, and additions of the jurors, and the parties meet again by appointment on a subsequent day, and respectively strike off 12. The remaining 24 are then returned upon the panel: if any of these

are absent on the trial, *talesmen* to complete the number may, at the prayer of the parties, be taken from the common jury panel. The same jury may try any number of causes; but the court has a discretion, on application from any man who has served, to discharge him from serving upon any other jury during the same assize. The usual allowance made to special jurors is one guinea for each cause tried by them.

It is sometimes thought advisable that the jury should view the premises in question; in such a case the process directs the sheriff to have six or more of the jurors (who must be previously agreed on by the parties, or in case the parties cannot agree, be nominated by the sheriff) at the place in question a convenient time before the trial, in order to inspect it; and it is to be shown them by persons acquainted with the locality. The sheriff, in his return to the process, must mention the jurors to whom the view has been given and they must be of the jury at the trial.

General Remarks on Jury Trial.—Next to the security afforded by the freedom of the press, *trial by jury* has been the grand bulwark of the liberties of the people of England. This institution is of very remote origin, and, though its history be obscure, it was at one time introduced into most European countries.* It is expressly laid down by the great charter, that "*nullus liber homo capiatur, vel imprisonetur, aut exulet, aut aliquo alio modo destruatur, nisi per* LEGALE JUDICIUM PARIUM SUORUM, *vel per legem terræ.*" "The founders of the English laws," says Blackstone, "have with excellent forecast contrived that no man should be called to answer to the king for any capital crime, unless upon the preparatory accusation of 12 or more of his fellow subjects (the *grand jury*); and that the truth of every accusation, whether preferred in the shape of indictment, information, or appeal, should be afterwards confirmed by the unanimous suffrages of 12 of his equals and neighbours (the *petty jury*), indifferently chosen, and superior to suspicion. So that the liberties of England cannot but subsist so long as this *palladium* remains sacred and inviolate, not only from all open attacks, which none will be so hardy as to make, but also from all secret machinations, which may sap and undermine it, by introducing new and arbitrary methods of trial, by

* The introduction and progress of jury trial is involved in much obscurity. Dr. Pettingall, in his learned *Essay on the Use and Practice of Juries* (4to. London, 1769), shows that they were extensively used by the Greeks and Romans; and he contends that they were introduced by the latter into Britain, Gaul, and the contiguous parts of Germany. It has, indeed, been usually supposed that juries, however derived, were in use in this country among our Anglo-Saxon ancestors. But there is really no good evidence to show that such was the case (Hallam, *Middle Ages*, ii. 296—401); though it cannot be positively affirmed that it was not. On the whole, the fair presumption would seem to be that, if not introduced, the use of juries was at all events much extended by the Normans, who had, most probably, brought a knowledge of them from Scandinavia, where the judicial number *twelve* was always held in the highest veneration. As previously seen, trial by jury had become of considerable importance in the reign of Henry II.; it would derive additional estimation from the above clause in Magna Charta; and it appears to have been established nearly in its present form in the reign of Henry III. (Stephen, *Commentaries on the Laws of England*, ii. 588, &c.)

justices of the peace, commissioners of the revenue, and courts of conscience." (Book iv. cap. 27.)

With the exception of England, trial by jury, in most other countries, was not long in being either suppressed or perverted; that is, juries were either entirely dispensed with, and the power to try prisoners entrusted to judges appointed by the different governments, or the institution was kept up in name only, its object and spirit being totally changed. Instead of jurymen being "indifferently chosen, and superior to suspicion," which is of the very essence of jury trial, they were not unfrequently selected by the crown, or its creatures! When so perverted, this institution, from being an efficient protection against unjust and unfounded accusations, becomes a most convenient and dangerous instrument in the hands of an unprincipled government. Hence, it is always impossible to form any fair estimate of the judicial systems of any two or more countries, or of the protection afforded by each to life and property, from merely learning that trial by jury is established in them. Everything depends on its organization. If juries be fairly and impartially chosen from the mass of the people, they are the best bulwarks that can probably be devised for the protection of innocence; but if otherwise, if they be named, or their election influenced, by judges or government officers, they throw a constitutional veil over the acts of the oppressor, and are, in all respects, most inimical to the public interests.

In England, the selection of jurymen having been generally, and always since the Revolution, made on fair principles, jury trial has been deservedly in the highest degree popular. In most countries, the fact of government bringing a charge against an individual, and his condemnation, have been nearly identical; but it has been quite otherwise with us. Here the charge had to be referred to 12 individuals fairly selected from among the freeholders of the neighbourhood; and unless they were *unanimously of opinion that the charge was well founded*, the accusation fell to the ground, and no farther legal proceedings bottomed upon it could be instituted against the accused.

The signal benefits derived from jury trial in criminal cases, and especially in charges of treason and sedition; and the fact that, were it given up in one class of cases, it might gradually fall into disuse in others, seem to be the principal cause of its being continued as a means of trying all descriptions of civil suits. The fair presumption, however, would seem to be, that a large class of civil cases might be as well or better decided by a judge or judges appointed for that purpose; and one would be disposed to think that trial by jury might now be advantageously confined to that description of civil cases where the facts are disputed, for the investigation of which it is peculiarly well-fitted.

The vital importance of an indifferent selection of jurymen is obvious; but if any doubt should remain in the mind of any one with respect to it, that will be removed by comparing its influence in England with its influence in Scotland: in the former, it has been the best defence of the liberty of the subject; whereas, in the latter, it was,

down to a comparatively recent period, the readiest means government could employ to oppress and get rid of any obnoxious individual! This anomalous result was entirely owing to the fact that in England juries were fairly selected; while in Scotland they were nominated by the sheriffs and judges! Luckily, however, this gross abuse has, of late years, been obviated; and Scotland, is now, as well as England, in the *bonâ fide* enjoyment of a system of trial by impartial juries.

It is farther necessary to observe, that trial by jury is suited only to countries in a comparatively tranquil state, and that it is wholly unsuited to those distracted by civil and religious dissensions. In the latter, indeed, it is uniformly almost employed, either to secure an impunity to crime, or to oppress the innocent. Jurymen being selected indiscriminately from the middle class of the population, are animated by all the passions and prejudices of the party or sect to which they belong, and among which they live; and it is idle to suppose that individuals called from their ordinary avocations once or twice, perhaps, in two or three years to try a case, should be able to lay aside their prejudices, and to take a calm and dispassionate view of any question in which they are involved! For these reasons it would appear that how well soever it may be adapted to England or Scotland, jury trial is not at all adapted to Ireland. Religious and political prejudices are there too widely diffused, and too deeply rooted, to admit of the fair trial by ordinary juries, of cases affecting religious or political parties or partizans. In the case of the trial of Mr. O'Connell, and his associates in 1844, every body knew beforehand, that the issue would depend wholly, or almost wholly, on the composition of the jury, and that the guilt or innocence of the parties, or the nature of the facts to be established by the evidence was of comparatively trifling importance. With a jury of Protestants or anti-repealers, a verdict against the accused might have been expected almost as a matter of course, and conversely with a jury of Catholics or repealers! And supposing the jury to have been selected with the utmost impartiality, the result would have been quite a matter of chance, or would have depended on the accident of the majority of the jury consisting of individuals belonging to the one faction or the other. It is in fact, the greatest imaginable folly to talk of the fair trial by juries of political offences in a country like Ireland. How desirable, soever, it would be a contradiction and an absurdity to suppose it should take place. You might as well expect justice to Poles tried by Russians, or to Russians tried by Poles. Neither Ireland, nor any country placed under similar circumstances, is qualified for the general enjoyment or exercise of jury trial. And the attempt to enforce the law in political questions in such a country by such means, can lead to nothing but the perversion of justice, and the most painful results.

Courts of Assize and Nisi Prius.—These courts, as well as those already mentioned, are courts of record; they are held in every county twice in the year before commissioners appointed by the king for the purpose. When first instituted, justices *in eyre*, that is, itinerant justices, were accustomed to make circuits once in every seven years, for the purpose of trying causes, redressing the oppression of officers, inquiring into usurpations of royal franchises, and other matters. The

cycle of seven years was afterwards reduced by the great charter to one. The justices of assize were first appointed in the reign of Edward I. The number of the circuits has varied from time to time. At present they amount to eight, including those of North and South Wales. The commissioners appointed to travel the circuit always consist of the fourteen judges at Westminster, two for each of the English, and one for each of the Welsh circuits; the fifteenth remains in town. They select their respective circuits by private arrangement among themselves. Formerly no judge could travel the circuit which included the county where he was born, but this is not now the case. The judges hold several commissions, of which the principal are those technically termed of assize, *nisi prius*, oyer and terminer, and general gaol delivery. The first of these is now nearly obsolete. By virtue of the two second (through various fictions originating in ancient usages), they hold courts at which juries are summoned to try causes. It is to be observed that issues of fact in an action are not necessarily tried before a judge of the court in which the action was commenced; but if it be sought to set aside a verdict, or obtain a new trial, application must be made to that court. A number of counsel, greater or less in proportion to the business of the circuit, usually accompany the judges, and practise in these courts as in the courts at Westminster. All the serjeants on the circuit are joined in the commission, though their assistance is not required, unless there be a great pressure of business. The sheriff of each county is the chief ministerial officer for the service of process, and he is bound personally to attend during the continuance of the assizes. He provides convenient lodgings and a suitable escort for the judges at each circuit town.

By a late Act of Parliament, a power is given to the King in council to vary and to assign the places at which the assizes shall be held.

County Courts.—The County Court is a court incident to the jurisdiction of the sheriff. It is not a court of record, but may hold pleas of debt or damages under the value of 40*s*. The County Court might formerly hold pleas of many real actions; and, it still has, by virtue of a special writ called a *justicies*, (an original writ empowering the sheriff to do the same justice in his county court as might otherwise be had at Westminster,) cognizance of all personal actions to any amount. The freeholders of the county were the real judges in this court, and the sheriff is said, in our old law treatises, to be only its ministerial officer. At present, however, the mode of procedure in county courts has assumed a different aspect. It has conformed itself, to a certain extent, to the usage of the superior courts, and the sheriff, or rather the professional deputy whom he employs under the name of undersheriff, exercises an authority in the sheriff's court (whether of inquiry or of trial) similar in many respects to the functions of an ordinary judge. Owing, probably to the introduction of courts of request, the sheriff's court has fallen into comparative neglect; and the resort to it is but inconsiderable.

Proceedings are removable from the County Court into the King's superior courts, by a writ, termed a writ of *pone* or *recordari facias*, after which the action is commenced *de novo* in the usual manner. After judgment has been given, a writ of *false judgment* lies to a superior

court at Westminster to review it for error visible on its face. At this court all elections by the freeholders of the county are or were made, but the mode of proceeding has in some instances, as in that of knights of the shire, been regulated by positive statutes.

It should be observed that when the sheriff executes writs of inquiry to assess damages, or writs of trial, he proceeds by the sole authority of the writ directed to him in each particular case: such proceedings form no part of his county court, nor have any connexion with it.

The Hundred Courts and Courts Baron.—These courts are so nearly allied to one another that they may be conveniently noticed together. The Courts Baron are (or rather were) held by lords of manors for their freehold tenants. The steward of the manor presides with the same duties and in the same character as the sheriff at the County Court. Courts Baron were formerly held every three weeks, and their most important business was to determine controversies relating to freehold lands held of the manor. They may hold pleas of personal and other actions when the debt or damages do not amount to 40*s*. The lord of a manor, in which there are copyholds, also holds a distinct court for that species of tenants, for the purpose both of determining pleas of land between them and for the alienation of their copyholds. This is not a court of record, and is now fallen into almost total disuse.

The Hundred Court, which is only a larger Court Baron, being held for the inhabitants of a particular hundred instead of a manor, is now entirely deserted.

Courts of the Market or Pie Poudre.—The only court remaining to be mentioned is the Court of the Market or Pie Poudre Court, as it is called. This is a court of record incident to every fair or market, of which the steward of him who owns or has the toll of the market is the judge, and its jurisdiction extends to administer justice for all commercial injuries done in that fair or market, and not in any preceding one; so that the injury must be done, complained of, heard, and determined, within the compass of one and the same day, unless the fair continue longer. Its judgments may be reviewed by writ of error to the Court of King's Bench. It is now, however, wholly disused; and is, indeed, all but entirely forgotten.

Any attempt to describe the proceedings in conducting cases before the courts now described, would involve so many technicalities as to be uninteresting and all but unintelligible to ordinary readers; while it must necessarily be useless to those professionally acquainted with the subject. Without, therefore, noticing these proceedings, we shall go on to inquire into the constitution of the criminal courts.

SECT. 3.—*Criminal Courts.*

House of Lords.—The highest court of criminal judicature known to the laws of England is the House of Lords, under the style of the Court of our Lord the King in Parliament. It possesses an original and an appellate jurisdiction. As a court of original jurisdiction, it may be regarded in several characters. First, during the session of parliament, it constitutes a tribunal for the trial of such high state

offences as, either from the peculiar nature of the case or the rank of the offender, the ordinary courts of justice may be supposed incapable of dealing with: commoners as well as peers are within its jurisdiction. The prosecution in these cases is termed an *impeachment;* which is a solemn charge or accusation preferred to the House of Lords by the Commons. The method of proceeding in an impeachment depends entirely on usage, which constitutes the law of Parliament as it does the common law of the land. When the Commons determine to prefer an impeachment against any one, they send a message to the Lords to that effect, and pray that the offender may be attached. Upon this the Lords order the Usher of the Black Rod to take him into custody; in certain cases they take bail, but this is discretionary. The Commons next proceed to prepare the impeachment, which is done by a committee: the impeachment contains the different charges drawn up separately in distinct articles. When the articles of impeachment have been prepared they are sent up to the Lords, who send for the prisoner, and order them to be read to him. The prisoner, having heard them read, usually prays that he may be allowed a copy, time to answer, and the benefit of counsel. The privilege of having counsel, as a matter of right, extends only to the case of persons impeached of high treason, and misprision of treason; in these cases it was granted by the 20th of Geo. II. In other cases it remains as before; counsel are always granted, however, as a matter of course. As soon as the prisoner has prepared his answer, it is sent up to the Lords, by whom it is sent to the Commons; the Commons consider it, and draw up an answer, or replication, as it is termed, which is forthwith sent to the Lords. A day is then fixed for the trial, of which notice is given to the Commons, who thereupon appoint a Committee of Management to conduct the prosecution. Sometimes they come to a resolution to be present at the trial in a body; in which case the trial is had in Westminster Hall, where suitable accommodation is made for them. The Lords previously to trial address the King, requesting him to appoint a Lord High Steward to preside over and conduct the proceedings, though this is said not to be absolutely necessary. The Lord High Steward is appointed by commission under the great seal, and for the particular occasion only. He must not be confounded with the Lord High Steward of the court hereafter mentioned. The power of the one we are now speaking of is not, except in his character of president, greater than that of other peers; like them, he has only a single vote; the collective body of peers being here judges both of law and fact. The trial itself proceeds much as ordinary trials do; evidence is gone into, and witnesses examined on either side; the charge contained in each article is separately discussed and disposed of before the succeeding one is entered upon. The judges always attend, for the purpose of giving their opinion on any matter referred to them. On the trial being closed, the peers adjourn for the purpose of considering their verdict; this being agreed upon, notice is sent to the Commons, and the prisoner is brought to the bar, when each lord separately delivers his opinion in the usual words "guilty" or "not guilty." After this, the Lord High Steward announces to the prisoner the result. Judgment, however, is not given until a subsequent day; indeed, it is said the Lords cannot

give judgment until required by the Commons; so that if the Commons do not demand judgment, as has sometimes occurred, it has the effect of a pardon. This is the reason that the Commons in important cases always insist on being present at the trial, that, having heard the evidence, they may be the better able to decide in giving their votes on the question as to demanding judgment. Pending an impeachment, no interference is permitted on the part of the Crown. The King's pardon cannot be pleaded in bar, neither can he stop it by prorogation, nor even, it is said, by dissolution of the Parliament, though the latter seems doubtful. After sentence, however, has been given, the King may in this, as in all other criminal cases, grant a reprieve or pardon. It seems undetermined whether the bishops have or not a right of voting. They have generally remained in the House and voted on all questions during the trial, retiring only when the verdict was given, and then always under a protest, "saving to themselves and their successors all such rights of judicature as they have by law, or of right ought to have."

2nd.—The House of Lords constitutes a court for the trial of peers, and such as are entitled to the privilege of peerage, for certain offences: in these cases the indictment commences in one of the inferior courts, and is removed to the Lords by writ of *certiorari*. As this privilege belongs to the peerage, it extends to all peers, whether lords of parliament or not, as well as to peeresses, whether in their own right or by marriage only: in the latter case, however, if they become dowagers, and marry a commoner, they are held to have degraded themselves and forfeited their right. All peers who have a right to sit and vote in Parliament must be summoned; bishops, not being ennobled by blood, have no right to a summons or to a seat, neither can they be tried here. The privilege extends only to treasons, felonies, and misprisions of either; in all other offences, as libel, riot, &c., peers are tried, like commoners, in the ordinary courts. A conviction in this court cannot take place by a majority of less than twelve. When parliament is sitting, this court is the same with the one last mentioned. The Lord High Steward is in like manner appointed for the occasion, and with similar powers.

3rd.—The House of Lords, when parliament is not sitting, constitutes a court for the trial of peers, called the Court of the Lord High Steward. But in this, the power of the Lord High Steward differs from that of the Lord High Steward in the courts above mentioned. The Lord High Steward here sits as judge, and decides on matters of law; the peers deciding only on matters of fact. The office was once hereditary, but latterly it seems to have been usual to appoint some peer specially for the occasion. The bishops form no part of this court any more than they do of the one last mentioned, nor have they any right to be tried in it. This court, it should be stated, has never been summoned since the Revolution.

4th.—The House of Lords is in all criminal cases the ultimate Court of Error; an appeal lying to it from the King's Bench, to which latter it lies in like manner from all inferior courts. In these cases the facts of the alleged offence are not investigated afresh, but the error must be assigned for some matter apparent on the face of the

record. Writs of error to reverse judgments in criminal cases are not allowed of course; the *fiat*, or consent of the Attorney-General must be obtained on sufficient cause shown; but this being shown, they are said to be grantable *ex debito justitiæ*.

Court of King's Bench.—This is the highest ordinary court of criminal judicature within the kingdom. It has jurisdiction in all criminal cases from high treason down to the most trivial misdemeanor or breach of the peace. It was originally attendant on the person of the King, but has been long stationary with the other courts at Westminster. This court supersedes all other courts of ordinary criminal jurisdiction; so that, at common law, the authority of other commissions ceased, and was suspended by its sitting within the same county. The interruption of general business which this produced gave rise to an Act, (25 Geo. III., c. 15,) which enabled the sessions of oyer and terminer, and gaol delivery of Newgate to continue, notwithstanding the King's Bench was sitting at Westminster or elsewhere in the county. All offences committed in Middlesex may be originally prosecuted in it by indictment, as also misdemeanors committed in any county in England by information filed by the Attorney or Solicitor-General, *ex officio*, or by leave of the court at the relation of a private individual in the Crown Office. Different Acts of Parliament have made certain offences committed out of the kingdom cognisable here. Its constitution as a criminal court does not differ materially from its constitution as a court of civil judicature. The judges are the same in both, although the subordinate officers and ministers of the Crown and civil side are different; and the mode of procedure is the same as in other criminal courts. Except in cases in which the intervention of the grand jury is not required, it has no original jurisdiction out of Middlesex, or the county in which it is sitting. To the criminal jurisdiction of this court must be referred the issuing of various prerogative, remedial, and other writs, which are obtained in the King's name at the suit of a party interested in their execution. Thus, if a public officer neglect his duty, the party injured applies for a *mandamus*, whereby he is ordered, in the King's name, to do it or show cause to the contrary. So if a party indicted in any court of subordinate criminal jurisdiction within the kingdom shall have reason to be dissatisfied with the court in which he is about to be tried, he may (under certain restrictions in point of time) obtain out of this court a *certiorari*, by which the proceeding is *certified* into the King's Bench, and is thenceforth carried on under its authority; and the same writ may be issued at the suit of the prosecutor.

Through the means of these and other forms of process, this court, in fact, exercises an extensive remedial and visitatorial jurisdiction, correcting the abuses of public officers, superintending the proceedings of subordinate courts, ejecting the usurpers of offices and franchises, compelling the performance of public duties, and, to a certain extent, controlling, by its mandatory process, even the highest functionaries of the state.

Courts of Oyer and Terminer and Gaol Delivery. These Commissions, which confer criminal jurisdiction, are usually directed to the same judges of the superior court as the commissions which confer the

civil; and the civil and criminal courts are held at the same time, one judge sitting in the one, the other in the other. The commissions which confer the criminal jurisdiction are three in number: 1, a commission of peace; 2, a commission of oyer and terminer; and, 3, a commission of general gaol delivery. Under the commission of oyer and terminer, they are empowered to inquire as well as to hear and determine, that is, they may first inquire by the grand jury or inquest, and then hear and determine by the petty jury: the third commission enables them to try and deliver every prisoner who shall be in the gaol when they arrive at the circuit town. Under the commissions of assize and *nisi prius*, though these are of a civil nature, the justices have, by virtue of several statutes, in certain cases, a criminal jurisdiction; and where an indictment of treason, felony, or misdemeanour has been removed out of the court below by *certiorari* into the King's Bench, the record may be sent down to be tried at *nisi prius*; but the judge at *nisi prius* does not proceed to judgment and execution thereupon, the record being returned with the verdict indorsed on it, to the Court of King's Bench, before which the ulterior proceedings are taken. A recent Act has, however, given the judge at *nisi prius* a power, in certain cases, to pass sentence upon the offender. The jurisdiction of the judges under the commission of the peace is the same as that of the magistrates at sessions, which will be mentioned presently. The courts of oyer and terminer and gaol delivery for Middlesex, previously to the 3rd and 4th Will. IV., for the erection of a new criminal court for the metropolis, used to be held at the Old Bailey. By this Act, however, a court called "The Central Criminal Court" is constituted, for the trial of all offences committed in the metropolis or the neighbourhood, within defined limits, not restricted to Middlesex. Two of the judges of the superior courts at Westminster, the recorder, common serjeant, or judge of the sheriff's court, always preside in this court. It has the jurisdiction of a court of oyer and terminer, and is held twelve times a year, and oftener if necessary.

Sessions of the Peace.—These are courts holden before justices of the peace within their respective counties or districts, for the trial of felonies, not capital, as well as most misdemeanors. They are of four kinds, viz.: the general sessions, the general quarter sessions, the special sessions, and petit sessions.

The *General Sessions* and the *General Quarter Sessions* are nearly similar. Both are courts of record held before two or more justices, one of whom must be of the quorum, which, as already seen, all justices now are; both are similarly constituted, and possess the same jurisdiction, except, perhaps, as to some matters which are made expressly cognisable by the general quarter sessions only, and both are required to be held four times a-year in every county in England. The only difference seems to be, that the latter are held at stated times, whereas the former may be held at any time. All that is absolutely necessary, however, is, that sessions should be held four times; when, therefore, they are held at the particular times stated, they are considered as general quarter sessions, and when at other times, as general sessions. In Middlesex, indeed, and the neighbourhood of the metropolis, in consequence of the great population, it is necessary to hold

both kinds; so that sessions are there held eight times a-year. This is not the case, however, in any other county, and generally the sessions held are the general quarter sessions. The times for holding the general quarter sessions have been fixed for the first week after the 11th of October, the first week after the 28th of December, the first week after the 31st of March, and the first week after the 24th of June. The general sessions, as well as the general quarter sessions, may be convened by two justices, or by the *custos rotulorum* and any one justice, but not by the *custos rotulorum* alone, nor by one justice alone. In practice they are convened by two of the justices, by precept addressed to the sheriff, requiring him to summon the proposed session for the usual purposes; to return the juries, and give notice throughout his bailiwick to all persons whose attendance is requisite. The precept also directs the sheriff to proclaim them, and requires him to attend himself, though he usually attends by deputy. The persons whose attendance is necessary, are the *custos rotulorum*, or his deputy the clerk of the peace, who has the custody of the county records, and must register all proceedings; the gaolers and keepers of houses of correction, who must render an account of the state of the prisons and prisoners under their charge; and the chief constables and petty constables.

The place of convening the sessions is fixed by the magistrates. It is usual, if the district be extensive, to adjourn them from one town to another, to save the expense of bringing the parties and witnesses to a distance.

Barristers (except such as are of the degree of king's counsel or serjeants), and attorneys practise in this court in the same manner as in the higher courts.

The jurisdiction of the sessions may be collected from the terms of the commission, which directs the justices "to inquire into, by the oath of good and lawful men of their county, and to hear and determine all felonies, trespasses, and all other crimes and offences of which such justices may or ought lawfully to inquire;" subject to this provision, that "if a case of difficulty arise," they shall not proceed to give judgment, except in the presence of some justice of one of the benches or of the assize; and in consequence murders and other capital felonies have been usually remitted for trial to the assizes. And now, by the 5 and 6 Vict., c. 38, for defining the jurisdiction of justices in general and quarter sessions, it is provided that neither the justices of any county, nor the recorder of any borough, shall, at any such sessions, try any prisoner for treason, murder, or capital felony, or for any felony which when committed is punishable by transportation for life, nor for any of the particular offences enumerated in the Act. Neither can the justices at such sessions try any newly created offence, unless power to that effect be given in the statute which creates it. There are, however, many offences and other matters which properly belong to the sessions, such as the smaller misdemeanors not amounting to felony, including offences relating to game, questions relating to the settlement of the poor and vagrants, alehouses, servants and apprentices; the filiation and maintenance of bastard children; the stopping or diversion of highways, &c.

In most of the larger boroughs quarter sessions are also held, formerly before justices of their own, and now before their respective recorders, under the provisions of the Municipal Reform Act. These have, in most instances, the same authority as the justices of the county sessions.

The proceedings in all these courts of sessions may, with certain limitations, be removed into the King's Bench, by writs of error or *certiorari*.

Special Sessions are required by law to be held for particular purposes, and some of them at stated periods; as, for the appointment of overseers, surveyors of the high roads, inspectors of weights and measures, and licensing ale-houses. These courts do not proceed by jury; they are merely meetings of one or two justices of the peace and their clerks. In some cases, indeed, the manner of holding them is particularly pointed out by the statute directing them; but in general they are convened either at the instance of the *custos rotulorum*, the clerk of the peace, or two magistrates, who issue a precept to the chief constable of the district, who in his turn issues precepts to the petty constables, and gives notice to the different magistrates. The decisions of the magistrates, both in these and the petit sessions next mentioned, are in most cases subject to reversal on appeal to the quarter sessions.

Petit or *Petty Sessions* are meetings of one or two justices by private arrangement among themselves. The chief business done at them consists in determining differences between master and man, taking cognisance of minor offences, as assaults, drunkenness, keeping disorderly houses, &c.; many of which, indeed, might be done by a single justice. Justices, in fact, fill two characters, being at once judges and magistrates of police. In the one character they decide; in the other they inquire and commit only, preparatory to some further trial. When they sit as judges, and decide, the place in which they sit is a court of justice, and as such is open. So in cases where a single justice can make a final decision, his room, even though it be in his private house, becomes a court of justice with all the incidents which belong to such court, and to the parties amenable to it. But when justices sit on a preliminary investigation merely, as on a charge of murder, they may sit with closed doors.

The *Sheriff's Tourn* and *Courts Leet* do not essentially differ, except in the extent of the district within their jurisdiction. Both are courts of record, and formerly were attended by all freeholders, and persons resident within their respective precincts. Their principal business was to view the frankpledges, that is, the freemen within the liberty, who, according to the Saxon system, were all mutually pledges for the good behaviour of each other. They have cognisance of breaches of the peace, and the chastisement of sundry inferior offences presented by the leet jury. Their business has, for the most part, devolved on the quarter sessions; but there are few ancient boroughs in which there is not a leet retaining something of its old jurisdiction; especially the presentment of nuisances. The constable of a township, also, is still regularly, and of right, chosen at the leet.

The *Coroner's Court* is also a court of record. Its duty is to

inquire, when any one dies in prison or comes to a violent or sudden death, by what manner he came to his end; and this must be done *super visum corporis*, i. e. on inspection of the body. The office of coroner has been already noticed.

Method of Proceeding in Criminal Courts.—The method of carrying on criminal prosecutions may be shortly described: and first of those carried on by *indictment*. The arrest, or initiatory proceeding, is usually done under the warrant of a justice of the peace. The warrant may be granted merely on suspicion, but this suspicion must be supported by the testimony of a witness on oath. It is directed to the constable or peace officer of the district in which the offence was committed, and requires him to bring the offender before the justices; which he accordingly is bound to do, if he can be found. The case is then further examined into, and if it appear to the magistrates that there is a sufficiently strong presumption of the guilt of the accused, they commit him to gaol. In cases which admit of it, instead of committing the prisoner, the magistrate takes bail for his appearance at the ensuing assizes or sessions. The witnesses examined by the justices are also bound to appear and give testimony at the trial. The complaining party, who is usually the person injured, is also bound to prosecute. The prisoner having been committed for trial, or bail (where this is admitted) taken for his appearance, the next step is the prosecution, which is usually carried on by indictment.

An *indictment* is a written instrument, accusing one or more persons of a crime or misdemeanor, preferred by the prosecutor to, and presented upon oath by, a grand jury. It must contain the particulars of the charge set forth with accuracy and precision, and must be supported by evidence. The only witnesses examined, however, before a grand jury, are those called for the prosecution, as the object of the inquiry is merely to ascertain whether there are sufficient grounds for putting the accused on his trial. The grand jury are bound by their oath not to divulge the evidence brought before them.

If, upon hearing the evidence, the grand jury think the accusation groundless, they indorse the indictment, "no bill." If, on the other hand, they are satisfied of the truth of its statement, they indorse it, "a true bill." The indictment is then said to be *found*, and the party stands indicted: but to find a bill, not less than 12 jurors must agree. The indictment, when so found, is publicly delivered into court.

Prosecutions are sometimes carried on without the intervention of a grand jury. They are then called *informations*.

Informations are of two kinds; 1st. those which are partly at the suit of the King, and partly for the benefit of the subject, and, 2nd. those which are brought only in the name of his Majesty. The former are usually brought upon penal statutes which inflict a penalty on the conviction of the offender; part of which goes to the King, and part to the informer, and which are in the nature of civil actions, differing only in this, that they are carried on by a criminal, instead of a civil, process. Informations which are at the suit of the King only, are either filed *ex officio* by the Attorney or Solicitor-General where the offence immediately affects the Crown or public safety, or by the Master of the

Crown Office, when the injury more immediately affects the rights of an individual. No information, however, of the latter description can be filed without leave of the court in which it is exhibited being previously obtained.

Informations can be filed for misdemeanors only; no man can be put upon his trial for a capital offence unless the accusation against him be first found sufficient by 12 of his countrymen.

If the accused be not in custody at the time the indictment is found, or the information filed (as in the latter case he never is), process must issue to bring him duly before the court. On an indictment, the court issues a warrant for the apprehension of the accused party; and on his being arrested, he is either committed to prison or bound over with sureties to appear at the ensuing assizes or sessions, as the case may be. It is usually at this stage of a prosecution that writs of *certiorari* are had to certify and remove the indictment with all the proceedings therein, from any inferior court of criminal jurisdiction into the court of King's Bench, which is the sovereign ordinary court in all criminal cases. When removed by *certiorari*, the trial may either be had at the bar of the court, or before the justices on the circuit at *nisi prius*. If, on an indictment being found, the offender either appear voluntarily or be already in custody, or be brought into court under the criminal process above mentioned, he is, in cases of felony, *arraigned*, or called to the bar to answer the charge which is then read over to him, he being at the same time asked whether he is "guilty or not guilty." If he plead guilty, his confession is recorded, and the court awards judgment. But if he plead "not guilty," he is put upon his trial. A jury is then called from the jurors in attendance, when either prosecutor or prisoner may, by challenge, object to any jurors, or in some cases to the whole jury. If the court allow the objection, another jury, or other persons, as the case may be, must be called. As soon as a sufficient number of unobjectionable jurors are called, they are sworn and the trial proceeds. The case is stated by the counsel for the prosecution, and evidence is adduced and examined in support of it. The defence is then entered upon, and the evidence in support of it brought forward. The prisoner, for this purpose, is allowed counsel to aid him in his defence, and to address the jury. When the case on both sides is closed, the judge sums up the evidence, and charges the jury in matter of law, and the jury give their verdict in the words "guilty," or "not guilty." If they find the prisoner "not guilty," he is then for ever discharged from the same accusation, and released. But if the jury find him "guilty," he is said to be *convicted* of the crime of which he was indicted. After an offender has been so convicted, all that remains for the court to do is to pronounce judgment, and sentence the prisoner to the punishment assigned to his offence. The judgment may be arrested, before it is pronounced, for any error on the face of the indictment; afterwards, it can only be avoided by a writ of error. If an error in the indictment is pointed out during the trial, the court will usually quash it, without putting the defendant to the expense of a writ of error; and if any doubt occurs upon the evidence as to the law, the judge may reserve the point for the opinion of the judges, and in

case of conviction, respite the sentence until that opinion is obtained.

In the quarter sessions, a great part of the business consists in hearing and determining appeals from the decisions of the petit sessions, or of single justices. In some cases it is necessary, on conviction, for the magistrates making their order to inform the party of his right to appeal. The appeals are entered preparatory to the sessions in the paper of the clerk of the peace, and are usually heard in the order in which they stand. Upon such appeals the inquiry is not confined to error in law; but the whole merits of the case may be entered upon afresh. The justices are, in cases of appeal, absolute judges upon all matters of fact, and also, if they think fit, upon all matters of law; they may, however, in cases where the writ of *certiorari* is not expressly taken away by statute, send up a case on proved or admitted facts for the opinion of the judges of the King's Bench. Where the *certiorari* is taken away, the court of King's Bench has no jurisdiction. The opinion of the justices is determined by that of the majority, the justices from whose order the appeal is made not voting. What is now stated of justices at sessions is applicable for the most part to the recorders of boroughs, since the Municipal Reform Act.

Sect. 5.—*Courts of Equity.*

The Courts of Equity are—the Court of Chancery, which is practically divided into five courts, viz.: the Lord Chancellor's Court, the Rolls' Court, and the Courts of the three Vice-Chancellors,—and the House of Lords, as a court of appeal. With the exception of the latter, which has been already described, they are all similarly constituted, and have nearly the same powers and jurisdiction. Unlike the courts of common law, they admit of no jury: a single judge presides in each, who decides at once on law and fact, unless the facts are so doubtful that he thinks fit to aid his judgment by the verdict of a jury, which he does by directing the trial of an issue or an action. And where a question which a court of equity is called upon to decide is purely legal, and, but for circumstances which bring it within equitable jurisdiction, would be properly determinable in a court of law, the judge in equity is in the habit of directing a case to be sent to a court of law, on which such court, after argument, returns a certificate of its opinion. With the exception of the House of Lords none of them are courts of record. The judges in the Court of Chancery are the Lord Chancellor, the Master of the Rolls, and the three Vice-Chancellors. The Lord Chancellor has been already spoken of in his political capacity. His salary is 10,000*l.* a-year, exclusive of his salary as Speaker of the House of Lords, and he has a retiring pension of 5,000*l.* a-year. The next in rank to the Chancellor is the Master of the Rolls, who is appointed by the Crown by letters patent, and holds his office for life. He administers justice in a separate court called the Rolls; hearing and determining the same matters as the Lord Chancellor, excepting cases of lunacy and bankruptcy; but all his orders and decrees must be signed by the Lord Chancellor before they

are enrolled. The Master of the Rolls is also the chief of the twelve masters in Chancery, and chief clerk in the petty bag office: he is the keeper, also, of all the records of the Court of Chancery after the decrees and orders have been enrolled; and on that account he was anciently styled *Guardien des Rolles*. The Master of the Rolls ranks immediately after the Chief Justice of the King's Bench: his salary is 7,000*l.* a-year.

Before the passing of the Act 3 and 4 Will. IV., c. 94, the Master of the Rolls did not hear motions, pleas, or demurrers; and whatever was presented for his decision, other than the hearing of causes, was brought before him by petition. By the above-mentioned Act, however, this was altered; and motions, pleas, and demurrers, are now heard by him in the same manner as by the other equity judges.

The office of Vice-Chancellor of England was instituted, in 1813, by the 53 Geo. III., c. 24, to relieve the Chancellor of a part of his duties; and on the transfer to the Court of Chancery of the equity business of the Exchequer two more Vice-Chancellors were appointed by the 5 Vict., c. 5. The senior Vice-Chancellor has 6,000*l.* a-year of salary, and the others 5,000*l.* each, with suitable pensions on retirement. An appeal lies to the Lord Chancellor from each of his assistant judges and from the Master of the Rolls.

The courts of equity have, like the common law courts, various inferior officers for getting through the details of business. The Court of Chancery has also an officer called the accountant-general, to whose charge the property of the suitors is committed. The effects of the suitors consist of cash, stock, and exchequer bills deposited with the Bank of England. It must not, however, be supposed that the Accountant-General has this sum under his arbitrary control: it merely stands in his name; and when any money is to be paid into or out of the Bank, or any investment made through the privity and concurrence of the Accountant-General, the payment is made under an order of the court. But the most important officers of the Court of Chancery are the Masters in Ordinary, of whom, as already stated, the Master of the Rolls is the chief. Exclusive of him, there are 11 masters appointed by the King's letters patent: their salaries, previously to the 3rd and 4th Will. IV., were principally derived from fees; but by that Act they are fixed at 2,500*l.* each, and, like the salaries of the Master of the Rolls and the Vice-Chancellors, they are charged on the Suitors' Fund. Whenever the court is unable to satisfy itself of a fact, or the matter is too intricate or tedious for its investigation, a reference is made to a master, and the cause stands over until he has made his report. There are also throughout the country Masters Extraordinary, as they are termed, usually solicitors, whose principal duty consists in taking the affidavits of parties living in the country. The judges in the Court of Chancery sit every day during term, Sundays and holidays excepted. During the sittings after term the Lord Chancellor sits in Lincoln's Inn Hall, and the Vice-Chancellors in courts near it; and the Master of the Rolls at his court in the Rolls' Yard.

The usual hours of sitting are from ten or eleven o'clock in the morning to three or four in the evening.

Immediately after and before each term the courts usually take a

short recess; and in the beginning of August they usually adjourn for the long vacation, which lasts till the beginning of November.

There are no fixed days for hearing particular branches of business; but, at the commencement of every sitting, each court issues what is termed a *seal paper*, detailing the plan of the business for each day.

The principal subjects which are treated of in a court of equity are trusts, charities, matters of account, fraud, accident, and mistake. By trusts, we mean not merely such as are expressly declared in writing, but such as are so in the construction only of a court of equity, as where one person has contracted with another for the purchase of an estate. The court considers the vendor from the time of the contract as being, in good conscience, a trustee for the purchaser, and on that ground compels him to perform his contract: and this forms one of the most marked distinctions between a court of common law and a court of equity. The former can only give damages for the breach of contract, whereas the latter enforces its performance The decree of the Court of Chancery is said to be *in personam*, not *in rem*. It binds the person, not the subject matter, and calls upon a defendant by subpœna to do what it orders him. In some cases, indeed, in the event of a refusal, the court has now the power to appoint a person to perform the required act instead of the person refusing. Another advantage of the Court of Chancery is, that it compels a discovery from the defendant upon oath; and, by thus sifting the conscience of the party against whom relief is sought, is enabled to do justice in a great number of cases, where a court of law, from its insufficient powers, would fail to furnish a remedy, and a defendant, but for this mode of compelling a disclosure of the truth, might prevail by concealing facts within his own knowledge. The Court of Chancery has also a jurisdiction in cases in which the ordinary courts of common law, from a defect in their constitution or forms of proceeding, are insufficient to provide a remedy. Besides these matters of equitable cognisance in which the several courts of equity have equal jurisdiction, there are some which are peculiar to the court of the Lord Chancellor: these are the care of idiots and lunatics. In bankruptcy the Lord Chancellor has also an appellate jurisdiction over the Court of Review, which can be exercised by him alone in all other cases.

The jurisdiction of the Court of Chancery, in point of extent, is considered *primâ facie* as reaching over the whole of the King's dominions; and if suit be brought in a matter over which some particular court has exclusive jurisdiction, the *onus probandi* lies on the party taking the objection.

The principal local Chancery courts are those of the counties palatine, each of which has exclusive jurisdiction within its respective county. Their constitution and mode of proceeding are similar to that already described. There are also some other local courts of Equity, which are not of sufficient general interest to demand a separate notice.

Sect. 4.—*Court of Bankruptcy.*

This court was established by an Act passed in the 1st and 2nd of Will. IV. It is subdivided into three branches:—1. The Court

of Review; 2. The Subdivision Courts; and 3. The Courts of the Commissioners.

The Court of Review is at present composed of a chief judge and a puisne judge, a chief registrar, registrars, and other inferior officers. The chief judge must be a serjeant or barrister of ten years' standing; and the puisne judges must also be serjeants or barristers of ten years' standing, or five years' standing at the bar, having practised five years previously below the bar. They are appointed by commission under the great seal. The chief judge has a salary of 3,000*l.*, the others of 2,000*l.* per annum. They must not sit in parliament, nor practise as barristers. This court is at once a court of law and equity; it has power and jurisdiction to hear and determine all matters in bankruptcy, which, before the passing of the Act by which the Court was constituted, (1 and 2 Will. IV., c. 56,) were heard by the Lord Chancellor. The Act, however, gives an appeal from the decisions of the Court of Review to the Lord Chancellor, upon a special case to be approved and certified by one of the judges of the Court of Review.

An appeal to the House of Lords is allowed only in cases which appear to the Chancellor of sufficient importance, or where both parties wish to have it decided there, when it may be carried up to the House of Lords direct from the Court of Review. Barristers practise in this, in the same manner as in the other courts in Westminster Hall.

Subdivision Courts, and the Courts of the Commissioners.—The Courts of the Commissioners are held in Basinghall-street in the city of London, one being held before each. The commissioners are six in number, and are appointed in the same manner as the judges of the Court of Review. Their salary is 1,500*l.* a-year. Like the judges of the Court of Review they are not allowed to practise as barristers, nor to sit in parliament during such time as they hold their appointment. These commissioners are empowered to form two Subdivision Courts, consisting of three commissioners for each court. To these Subdivision Courts the single commissioner may, when any difficult question arises, adjourn the proceedings.

No single commissioner can commit any bankrupt, or any other person examined before him, otherwise than to the custody of the officer of the court; and he must be brought up before a Subdivision Court, or the Court of Review, within three days after his commitment. The Subdivision Courts, as well as the Court of Review, are courts of record. Besides the London commissioners, there are also commissioners in the country, at Manchester, Birmingham, and other towns, for conducting such bankruptcies as may be better managed there, or which are too trifling to be brought up to town. These are selected by the judges on the circuit, out of the barristers, solicitors, and attorneys on the circuit, and must be submitted to the Lord Chancellor for his approval. The business is conducted before the commissioners in the country in much the same way it is before the London commissioners. An appeal also lies from the decisions of the former to the Court of Review.

Sect. 6.—*Court for the Relief of Insolvent Debtors.*

This court was created for the relief of prisoners confined for debt, whether in the shape of damages under a decree of court, or for a sum of money owing to another. As remodelled by 7 Geo. IV., c. 57, it is composed of three commissioners, a chief and two puisne ones, who must be barristers of ten years' standing at the least. The principal inferior officers are a chief clerk, provisional assignee, and a receiver. It is a court of record, and has power to administer an oath, to compel the attendance of witnesses, the production of papers, and to fine and imprison, in the same manner as the superior courts at Westminster. In London it sits twice a week the whole year through, the attendance of one commissioner being sufficient. The powers of this court were materially altered and extended by the Act abolishing arrest on mesne process.

Sect. 7.—*Ecclesiastical Courts and Courts of Admiralty.*

The ordinary Ecclesiastical Courts are,—1. The Provincial Courts, being in the province of Canterbury; the Court of Arches, or Supreme Court of Appeal; the Prerogative, or Testamentary Court; and the Court of Peculiars: and in the province of York, the Prerogative or Testamentary Court, and the Chancery Court. 2. The Diocesan Courts, being the consistorial court of each diocese exercising general jurisdiction; the court or courts of one or more commissaries appointed by the bishop, in certain dioceses, to exercise general jurisdiction within prescribed limits. 3. The Courts of one or more Archdeacons, or their officials, exercising general or limited jurisdiction, according to the terms of their patents or to local custom. And, 4. There are also Peculiars of various descriptions in most dioceses, and in some they are very numerous—royal, archiepiscopal, episcopal, decanal, sub-decanal, prebendal, rectorial, and vicarial. These courts, indeed, are said to amount to 300. There are also some Manorial Courts.

The provincial courts of the Archbishop of Canterbury and the Archbishop of York are independent of each other; the process of one province not running into the other, but being sent, by a requisition, to the local authority for execution. An appeal from each provincial court lies to the King; who is empowered by 2 and 3 Will. IV., c. 22, to refer it to the judicial committee of the privy council, to hear and determine the matter in contest.

These courts are for the most part similarly constituted. A single judge presides in each. He is appointed by the archbishop, bishop, archdeacon, as the case may be, in whose court he presides. In a Peculiar he is not appointed by the individual having the jurisdiction. These courts are not courts of record.

Of the three principal Archiepiscopal Courts of Canterbury, the Court of Arches is the first. This court exercises the appellate jurisdiction from each of the diocesan and most of the Peculiar courts within the province. It may also take original cognisance of causes, by letters of request from each of those courts; and it has original jurisdiction on subtraction of legacies given by wills proved in the Prerogative Court of Canterbury.

The Prerogative Court has jurisdiction of all wills and administrations of personal property left by persons having *bona notabilia*, or effects of a certain value, in divers jurisdictions within the province. A very large proportion, not less than four-fifths of the whole contentious business, and a very much larger part of the uncontested, or, as it is termed, *common form business*, is despatched by this court. Its authority is necessary to the administration of the effects of all persons dying possessed of personal property to a specified amount within the province, whether leaving a will or dying intestate; and from the very great increase of personal property, arising from the public funds and the extension of the commercial capital of the country, the business of this jurisdiction, both as deciding upon all the contested rights, and as registering all instruments and proofs in respect of the succession to such property, is become of very high public importance.

The Court of Peculiars, which is the third archiepiscopal court of Canterbury, takes cognisance of all matters arising in certain deaneries: one of these deaneries is in the diocese of London, another in the diocese of Rochester, another in the diocese of Winchester, each comprising several parishes; and some others, over which the archbishop exercises ordinary jurisdiction, and which are exempt from, and independent of, the several bishops within whose dioceses they are locally situate. The province of Canterbury includes 22 dioceses, reckoning the diocese of Canterbury itself, where the ordinary episcopal jurisdiction is exercised by a commissary, in the same manner as in other dioceses.

The province of York includes four dioceses, besides that of Sodor and Man: and the archiepiscopal jurisdiction is exercised therein much in the same manner as in the province of Canterbury.

The diocesan courts take cognizance of all matters arising locally within their respective limits, with the exception of places subject to peculiar jurisdiction. They may decide all matters of spiritual discipline; they may suspend or deprive clergymen, declare marriages void, pronounce sentence of separation *à mensâ et thoro*, try the right of succession to personal property, and administer the other branches of ecclesiastical law. It is usual, however, in the country courts, to send up cases that arise by letters of request to the Court of Arches. The Archdeacon's Court is generally subordinate, with an appeal to the Bishop's Court; though, in some instances, it is independent and co-ordinate. The Archdeacon's Courts, and the various Peculiars already enumerated, in some instances take cognisance of all ecclesiastical matters arising within their own limits, though the jurisdiction of many of the Peculiar courts extends only to a single parish; the authority of some of them is limited to a part only of the matters usually the subject of ecclesiastical cognisance. Several of the Peculiars possess voluntary, but not contentious jurisdiction.

The ecclesiastical jurisdiction comprehends causes of a civil and temporal nature; some partaking both of a spiritual and civil character; and, lastly, some purely spiritual.

In the first class are testamentary causes; matrimonial causes for separation and for nullity of marriage, which are purely questions of

civil right between individuals in their lay character, and are neither spiritual nor affecting the church establishment.

The second class comprises causes of a *mixed* description, as suits for tithes, church rates, seats, and faculties.

The third class includes church discipline, and the correction of offences of a *spiritual* kind. They are proceeded upon in the way of *criminal* suits *pro salute animæ*, and for the lawful correction of manners. Among these are offences committed by the clergy themselves, such as neglect of duty, immoral conduct, advancing doctrines not conformable to the articles of the church, suffering dilapidations, and the like offences; also by laymen, such as brawling, laying violent hands, and other irreverent conduct in the church or churchyard, violating churchyards, neglecting to repair ecclesiastical buildings, incest, incontinence, defamation: all these are termed "causes of correction," except defamation, which is of an anomalous character. These offences are punished by monition, penance, excommunication, suspension *ab ingressu ecclesiæ*, suspension from office, and deprivation. All appeals from the Ecclesiastical Courts are now referred to the Judicial Committee of the Privy Council.

The ecclesiastical laws, as now existing, have been for upwards of three centuries administered, in the principal courts, by a body of men associated, as a distinct profession, for the practice of the civil and canon laws.

Some of the members of this body, in the year 1567, purchased the site upon which Doctors' Commons now stands; and, at their own expense, erected houses for the residence of the judges and advocates, and proper buildings for holding the ecclesiastical and admiralty courts, where they have ever since continued to be held. In the year 1768 a royal charter was obtained, by virtue of which the then members of the society, and their successors, were incorporated, under the name and title of "The College of Doctors of Law exercent in the Ecclesiastical and Admiralty Courts." This college consists of a President (the Dean of the Arches for the time being), and of those Doctors of Laws who have regularly taken that degree in either of the Universities of Oxford or Cambridge, and having been admitted advocates, in pursuance of the rescript of the Archbishop of Canterbury, have been elected fellows of the college, in the manner prescribed by the charter. According to the present constitution of the College of Doctors of Law, no person can be admitted a member, or allowed to practise as an advocate in the court at Doctors' Commons, without having first taken the degree of Doctor of Laws in one of the English universities. From the College of Advocates the archbishop always selects the judges of the archiepiscopal courts.

Proctors in these courts discharge duties similar to those of solicitors and attorneys in other courts. To entitle a person to be admitted a proctor, to practise in the Court of Arches, it is required that he shall have served a clerkship of seven years, under articles, with one of the 34 senior proctors. Before a clerk is permitted to be articled, he is required to produce a certificate of his having made reasonable progress in classical learning. When the term of seven years is completed, the party is admitted a notary, by a faculty from the Archbishop

of Canterbury. The proctor so admitted is qualified to commence business upon his own account immediately; but he is not entitled to take an articled clerk, until he shall have been for five years within the number of the 34 senior proctors.

The Court of Admiralty.—The Court of Admiralty is held before the Lord High Admiral or his deputy, who is called judge of the court. When there was a Lord High Admiral, the judge of the Admiralty held his place most commonly by patent from him, and was called his lieutenant, as the vice-admirals of the several districts were called deputies. The judge now holds his place by direct commission from the Crown, under the great seal: to him appeals lie from the Vice-Admiralty Courts in the West Indies and other plantations and settlements. The Court of Admiralty is twofold; the Instance Court, which takes cognisance of contracts made and injuries committed on the high seas; and the Prize Court, which has jurisdiction over prizes taken in time of war. The commissions to hold these courts are perfectly distinct, though usually given to the same person. The Instance Court is governed by the civil law, the laws of Oleron, and the customs of the Admiralty modified by statute law.

The Prize Court is to hear and determine according to the course of the Admiralty and the law of nations.

From the Instance Court an appeal lies to the King, by whom it is referred to the judicial committee of the Privy Council. An appeal from the Prize Court also lies to the Privy Council.

The jurisdiction of the Admiralty as a criminal court, which it once possessed, seems now withdrawn, and given to the ordinary courts of common law; and any offence committed on the high seas may, for the purpose of being tried in them, be alleged to have been committed in any county of England.

Besides these courts, which have a general jurisdiction throughout the kingdom, the Cinque Ports and some other places have courts of a limited jurisdiction of their own. The Vice-Admiralty Courts are confined to the colonies.

CHAPTER V.—Municipal Corporations.

A CORPORATION generally is a collection of individuals united in one body by special act, either of the Crown or of the legislature, having the means of continued identity as such, with the capability of holding property and contracting liabilities in common; and having further the right of suing and being sued in their joint name, of binding themselves by their common seal, and being considered in law for the purposes of its institution as a single person.

A municipal corporation, of which we now treat, is an aggregate body, established for the purposes of municipal government, within certain limits, usually those of a pre-existing borough, being, in fact, the successor appointed by charter, to exercise or enjoy the municipal franchises anciently vested by charter or prescription, in the burgesses or borough officers. Hence a short view of the history and constitu-

tion of boroughs is a proper, and, in some respects, necessary introduction to the subject of municipal corporations.

The word borough is most commonly derived from the Saxon *borg*, signifying an enclosure. Others, however, derive it from a Saxon word similar in sound to the former, signifying a *pledge*, applied to the associations for mutual responsibility required by the Saxon law; in which sense it is used in the words head-borough and free-borough. Apart from its derivation, the term has been, and still is, employed to signify a town of sufficient importance to have obtained, either by charter or by prescription, which implies a grant, a separate existence as a community; *i. e.*, having within itself, in a greater degree than the ordinary rural divisions, the power of self-government, and possessing, or being subject to, a special jurisdiction, whether constituted or not by its own appointment.

Communities of this sort must have arisen in this country, and, indeed, in every other, so soon as the distinction was well established between the agricultural and trading parts of the population. Our historical knowledge of them begins with the Romans, who introduced their municipal system into some of the larger towns of this kingdom, whether of Roman or British origin, such as York, Verulam, London, and Chester. These, however, were for the most part either destroyed or remodelled by the Saxons, who substituted in their stead their own burgh, the root, as well in constitution as in name, of the modern English borough. These again, particularly in the north and some of the midland counties, were subjected to great changes by the Danish invaders, who having laid waste many considerable towns, and dispersed their inhabitants, founded in their stead only five boroughs, viz. Derby, Nottingham, Leicester, Lincoln, and Stamford. The Danish population of these towns was in its turn dispersed by the Saxons, though traces were left in them, and in some others, of Danish innovations, the most remarkable being the substitution of an hereditary for an elective magistracy. Little, however, is to be found concerning the internal state of boroughs in the historical remains of the times preceding the Conquest; and though charters were granted to some boroughs by the later Saxon kings, Domesday Book is the first authentic record from which, with the aid of contemporary and subsequent documents, any coherent account of their general condition can be derived.

From these it would appear that under the name of boroughs, of which 82 are mentioned in Domesday Book, there existed, at the period of the Conquest, a variety of communities, differing greatly in extent of power and in their degree of dependence on the general government; being, however, upon the whole, sufficiently similar in their character and constitution to fall within the same general description. To speak, then, only of their common features, a borough, in these early times, was a community which supplied the neighbourhood with the common articles of manufacture or commerce, being endowed with the necessary franchise or license of holding a fair or market within its precincts, and with that degree of jurisdiction within itself which was requisite for the maintenance of internal tranquillity, and which, also, exempted it from the burthen of attendance upon the court of the hundred, and from the duties and liabilities incident to the other inha-

bitants of the hundred as such. This latter exemption seems to have constituted the distinguishing feature of a borough, for the franchise of a fair or market was common to boroughs with many other townships. Every borough took rank as a hundred, and had within itself the same court leet which belonged to all hundreds; that is, a court for the trial of petty offences and the presentment of nuisances. Such jurisdiction, though exercised for the convenience and with the assistance of the burgesses, was vested in the officer of the king, called portreeve or borough-reeve, or in the deputy of the lord of the leet, under the name of bailiff. In each case the fines and perquisites of the jurisdiction (which led to the administration of justice being considered as a property) belonged to the king or lord on whose behalf they were levied. In some boroughs, which, even in those early times, were of sufficient size to be subdivided into wards, the alderman of each ward exercised, in conjunction with the reeve, the jurisdiction of the leet.

A borough also was subject, as part of a manor, or as being itself a manor, to the baronial jurisdiction of the lord of the manor; and, if the borough comprised, wholly or in part, several manors, then to the jurisdiction of the lords of such several manors. But whatever privileges the inhabitants of boroughs might enjoy at and immediately after the Conquest, a municipal administration by magistrates of their own choice was not certainly included in the number.—(Hallam, *Middle Ages*, iii., 30.)

The incidents of tenure in borough lands were originally the same as in other lands; but, whether from the smallness of their subdivisions, or from the nature of the employments in which their occupiers were engaged, they escaped the imposition of military service, and burgage tenure retained, as stated in our law books, the character of the ancient tenure in common socage; that is, tenure by rent or service certain.

The revenue arising from a borough, and consequently the outgoings to which the burgesses were liable, consisted (as enumerated by Maddox in his treatise *Firma Burgi*) of the rent or custom payable for each tenement singly, and of that levied from the borough at large under the name of *gabel;* which is not to be confounded with the taxes occasionally imposed, the tolls of fairs and markets, the profits of aldermanries, and the fees and perquisites of courts. These were generally levied by a bailiff, acting on behalf of the king or other lord of the borough or franchise.

It has been justly stated by Mr. Hallam that the conversion of these individual tributes into a perpetual rent from the whole borough was not only one of the earliest, but also one of the most important, changes in the condition of the burgesses. The town was then said to be affermed, or let in fee-farm to the burgesses and their successors for ever. Previously to such grant the town was a portion of the lord's demesne; but henceforth he only retained the superiority and inheritance of the annual rent.

From the time of William Rufus charters began to be granted to towns conveying various privileges, such as an exemption from tolls on rivers and at markets, an immunity from ordinary jurisdictions, a power of internal regulation, &c. Exemptions from certain rules of common law were also, in some cases, granted by these early charters,

as, for example, the right of devising property within the borough; but it is proper to observe that the descent of land to the youngest son, to the exclusion of the elder, which prevails in certain boroughs, was not founded on charter, but on the peculiar custom called *Borough-English*. The civil jurisdiction exercised by municipal officers in a court of record originates from these early charters, and many extensions also of their criminal jurisdiction; though it was not till the reign of Richard II. that a commission of the peace, and the right of holding general and petty sessions, were granted to any borough. A city differed from a borough only in being the seat of a bishop, who, in the Saxon times, possessed an extensive civil and criminal jurisdiction, and assisted the earl, or sometimes supplied his place, in presiding over the county court. Some cities, and even a few boroughs, were, from time to time, raised to the rank of counties; that is, were in all points of jurisdiction, entirely exempted and made distinct from the county in which they were situated, and had within themselves a court in the nature of a county court, held by their own sheriffs.

There is reason to believe that all persons of free condition, possessing a tenement within the borough, residing within its limits, and contributing to its common charges, were originally (according at least to Saxon usage) entitled to be placed on the roll of burgesses at the court leet of the borough. But the disproportion between the number of houses and that of burgesses in the same places, as recorded in Domesday Book, is too great to allow us to suppose that such right was at that time generally acted on. It is probable that the right may have been impaired by neglect on one side, and usurpation on the other, considering that the advantages and burthens incident to burgesship may have been, in such boroughs as had little traffic, nearly balanced. The right may also have been, even at that early period, restricted, either to the tenants of houses within the ancient limits of the borough (which might be very different from its subsequent limits), or to the tenants of houses built upon the foundations of those possessed by the original burgesses, to whom and to whose *heirs* the franchise had been granted. It may also, not improbably, have been confined to the sons of burgesses. It appears, however, that free persons, residing or coming to reside within the borough (and villains having dwelt in the borough for a year and a day, unclaimed by their lords, stood upon the same footing), were frequently admitted, if not to the full burgesship, at any rate to a considerable share of the borough franchises, subject to the condition of inhabitancy and contribution to the common charges, and usually also upon payment of some fine.

The guilds, which early existed in most boroughs of any importance, consisted of associations of those carrying on different trades (similar in some respects to the colleges of workmen among the ancient Romans), formed for the purpose of watching over their common interests, and of managing their common property. The spirit of monopoly and exclusion gave strength and consistency to these institutions. Their members gradually acquired various privileges; and having also, in certain matters, a separate jurisdiction exercised by their own officers in their own guildhalls, they generally succeeded, in no long time, in engrossing the privileges and jurisdiction that origi-

nally belonged to the burgesses at large; so that the borough itself was sometimes merged in the guild-merchant, or combination of the separate guilds. The substitution of the title of freeman for that of burgess, which took place in many boroughs, appears to have been a consequence of this change, and no doubt originated in the custom of admitting certain persons, either through apprenticeship or purchase, to the freedom of the guilds or subsidiary corporations. This is particularly seen in the city of London, where the rights of burgesses have long been in the exclusive possession of the liverymen or freemen of the different trading companies, though the old division into wards, and the mode of election according to wards, still subsists.

The freedom of the borough, being thus engrafted upon what were originally trading rights, whether belonging to the members of separate guilds, or to those of the guild merchant, was, like those prior rights, transmissible by descent, though with various modifications: thus the freedom in some places was confined to children born within the borough, in others, to those born since the acquisition of freedom by the father, while in others the right was restricted to the eldest son only. The acquisition of freedom by marriage with the daughter of a freeman, which was very commonly allowed, grew out of the right by descent.

The charters granted previously to the reign of Henry VI. rarely, if ever, intermeddled with the internal constitution of the boroughs. They were simply grants of the franchises previously noticed to the inhabitants and burgesses, and to their successors or heirs; leaving it to the grantees to settle among themselves the distribution and administration of these franchises. In consequence of thus leaving matters to their natural course, select, and, in many cases, self-elected bodies, under various shapes and designations, gradually assumed or usurped the administration, if not the exclusive enjoyment, of the immunities and property bestowed on the community.

The right of returning members to parliament, which was certainly exercised in the reign of Henry III., if not earlier, became also, in many cases, and with corresponding variations in the mode and extent of restriction, the subject of similar monopolies, the usurpation in this instance being effected with the greater ease, that the privilege was at first viewed with indifference or contempt. Seventy-five boroughs were originally summoned by Edward I., but he afterwards extended the franchise to thirty-three others.

Previously to the reign of Henry VI. boroughs virtually enjoyed the two distinctive privileges of a corporation, viz., the holding land in succession, and the right of suing and being sued in a common name; but, with the progress of jurisprudence, and the introduction of greater strictness in the discussion of legal rights, it probably became inconvenient to trust to usage and prescription for the enjoyment of such privileges. Hence the great, and, in some cases, the sole purport of the charters of this and the subsequent reign, was the constituting corporations, with the use of a common seal, enabling them to hold property in succession, and to sue and be sued in their corporate name. Such charters generally included the mayor, bailiffs, and burgesses, with the addition, in many cases, of the "inhabitants;" without speci-

fying who were burgesses, or laying down any rules for the government of the borough or corporation; save only, that they prescribed, as did the former charters, to whom the jurisdiction which they created or increased should be committed.

It was not till the time of the Tudors that it became usual to grant what are called governing charters, that is, charters regulating the internal constitution of the borough, or rather that of the corporation to which the borough at large was made subject in all points of municipal government.

The general object of these charters, more particularly of those that date from the reign of Henry VIII., was to recognise and sanction the exercise of the old borough and new corporate rights, by a small and for the most part self-elected body, whose numbers were in many cases limited by the terms of such charters. It is to this period, therefore, that we may refer the final establishment of that system of municipal government, of which the powers were usually vested in a mayor and common council; the latter generally consisting of aldermen and common councilmen: the aldermen being taken from and nominated by the council; while the common councilmen were either nominated by the whole council, or by the aldermen. The most important of the other corporate officers were the recorder or judge, the chamberlain or treasurer, and the town clerk or attorney of the corporation. These select bodies not only engrossed the municipal power, but the name and being of the corporation. The freemen and commonalty of burgesses ceased to be considered as members of the corporation, though they still retained their peculiar rights and exemptions, and possessed, in a greater or less degree, rights of election and eligibility to municipal offices.

This change vested in the new corporate body the common property of the borough, which, however, remained subject to any charges for the benefit of the burgesses or freemen which usage had established. Its amount was also in general small compared with what was acquired by the corporations after their distinct and separate existence had been finally acknowledged; by far the greater part of the property vested in municipal corporations for their own use, or upon charitable trusts, having been acquired in the interval between the reign of Henry VII. and the Revolution, a period fertile in all sorts of charitable and corporate foundations. The right of making by-laws, and of taxing the inhabitants for the purposes of paving, lighting, and police, was also vested in the corporation by virtue of their new charters. But the most important, and, as it afterwards turned out, the most abused of the powers to which they succeeded, was that of admitting to the privileges of burgesses or freemen.

The modes of obtaining such admission in more ancient times have already been noticed. The governing corporations, which succeeded to the older municipal bodies, continued to recognise such claims to municipal rights as rested upon personal qualifications, such as birth and apprenticeship, and had been firmly established by local custom; though in some places the condition of election was imposed upon persons so qualified, and in others a fine was exacted from them on admission. But the corporations, while they recognised more or less

fully these rights, assumed to themselves the discretionary power (which probably had been long growing up) of admitting to the freedom or burgesship such individuals as they chose, whether resident or not, and whether upon free gift or purchase; and this power was finally used to diminish or enlarge the number of freemen or burgesses, so as to secure the paramount influence of the corporation. In some places, indeed, particularly in those which had not been anciently boroughs, or had not possessed a merchant guild, or any separate guild, there were no burgesses or freemen exclusive of the corporation itself; and in others there were no means of acquiring the freedom except by election by the corporation; while, on the other hand, in some few places the municipal rights remained common to all inhabitant householders. Upon the whole, the general operation of the governing charters was not only to increase the power of the select few, but greatly to restrict the numbers of the commonalty of the borough; and there is, perhaps, reason to believe that the motive which induced the Crown to co-operate in such a course was to confine the parliamentary franchise within the same narrow limits as the municipal; or, at any rate, virtually to place it at the disposal of the governing body, which, it was hoped, would be more easily subject to the control either of the ministers of the Crown or of the great noblemen in the interest of the court. The belief in this motive is strengthened by the circumstance, that during the period to which we refer many insignificant places were raised to the rank of parliamentary boroughs; and it became usual for the nobles, whose feudal power had greatly declined, to connect themselves, under the name of high steward or by the office of recorder, with the boroughs in the neighbourhood of their possessions.

These attempts on the part of the sovereign to limit the right of election, at length arrested the public attention, and were successfully resisted by the House of Commons in the time of James I.; the celebrated Committee of Privileges, presided over by Serjeant Glanville, resolved, and the resolution was adopted by the House, that Crown charters, in as far as they modified the parliamentary franchise, were altogether void. Practically, however, the principle was only applied to such cases as were brought before the House upon petition; and even in these it left untouched such limitations or extensions of the elective rights, as usage had sanctioned. The parliamentary franchise was thus left (and remained till the Reform Act) a matter not so much of general law as of local custom; of which the following were the most remarkable varieties.

There was, first, the right by inhabitancy, which belonged either to all persons of full age habitually resident, or to all inhabitants procuring their own diet, who were called potwallers, *i. e.* pot boilers; or to all inhabitants paying "scot and lot" (of which the meaning in latter times has been held to be "the parochial rates"); or lastly, to all inhabitant householders, excluding, in each case, servants and lodgers.

There were next the rights by tenure, which belonged either to freeholders of property within the borough, in some instances of the value of 40*s*., and in others without any restriction as to value. Another species of franchise by tenure was that of the burgage holders; which is said by Blackstone to have existed in twenty-eight boroughs;

a burgage being for this purpose an undivided and undividable tenement, which has immemorially conferred upon its possessor, having a freehold interest in it, the right of voting. The third class of franchise is that depending upon personal qualification, which belonged generally to the governing corporate body, as it did in many cases exclusively; but more commonly to them in common with the burgesses or freemen, who were a part, or at any rate an offspring, of the corporation; or to the freemen of particular guilds not connected with the corporation, as was the case in the city of Wells.

Most of these franchises might, and several did often, co-exist in the same borough; while in other cases there was but a single species of franchise, created either by usage, or by successive decisions of the House of Commons, from the æra of Glanville down to the present day. From that time the municipal franchise of boroughs becomes very distinct from the parliamentary; the right of the Crown to modify by its charters the municipal franchise, which originally had proceeded from it, was not then called in question; nor were there in fact any parties interested to contest it; as those to whom restrictive charters were granted, had already succeeded in engrossing those rights and franchises which had been more vaguely conferred by older grants, and might therefore, not without some reasonable pretence, assume to surrender them. This scheme of narrowing the basis of the corporate constitution continued to be pursued by the Crown and corporate bodies jointly till the Revolution; at which epoch it had reached its height, being established, with few exceptions, and in different degrees of closeness, in every incorporated borough in the kingdom.

No particular event of great note in the history of corporations occurs subsequently to the reign of James I. till that of Charles II.; shortly after whose restoration were passed the Test and Corporation Acts, in the view of excluding from corporations the Presbyterian party, into whose hands they had mostly fallen during the Commonwealth. The latter part of the same reign is still more remarkable for the issuing of *quo warranto* writs; being an attempt on the part of the Crown to subject corporations to its control, by forcing them to surrender their charters and accept new ones, reserving the right to the Crown of nominating and removing the chief corporate officers. This attempt had already succeeded, in some few instances, in the earlier part of the same reign. The particulars of this struggle, or rather aggression, which was more liable to censure on constitutional than on legal grounds, belong to the general history of the country: it is sufficient here to say, that after a great majority of corporations of considerable towns had, either through fear of the Crown, or want of confidence in the integrity of the judges, or from less excusable motives, surrendered, or forfeited by non-appearance, their corporate existence, and had in many cases accepted such new charters as the Crown chose to confer, a proclamation was issued by James II., on the eve of his deposition, by which the new charters were recalled; the old ones, of which the surrender or forfeiture had not been legally completed, were revived, and such as had been cancelled were regranted. This proclamation, which was afterwards allowed to have the force of law, replaced the corporate system on its previous footing. It is, however,

worthy of remark, that some few places did not accept their old charters, but continued boroughs without a corporation; and these transactions are further important as having given rise to legal discussions, by which it has been established that a corporation may either surrender at its option, or forfeit by its misconduct, its franchise and its very existence.

During the period which elapsed from the Revolution to within these few years, little or no change took place in the municipal constitution of corporations: indeed, they appear but little in history in their municipal character; but their political importance, as rulers of boroughs, then rose to its greatest height, with the increase of the power and influence of the House of Commons. The connexion of boroughs and corporations with some powerful family residing, or having possessions in their vicinity, has been already noticed. In the period of which we now speak connexions of this sort had been so long established, and had become such that boroughs with a limited population, or in which the elective franchise was vested in a self-elected or close corporation, or in which the influence of the latter predominated, usually became the property of individuals who nominated their members, and even made them the subject of settlements and sales! In other places where the constitution of the corporation was more popular, or where the elective franchise without being widely diffused was yet too extensive to be under the control of the corporation, there frequently prevailed, in the election of members, an avowed system of bribery, or an all but open traffic in votes. No doubt there were various exceptions even among the inferior boroughs to these practices; and they were comparatively little known in the larger boroughs where there were large bodies of electors. But even in the latter, owing to the mode in which the freedom of the borough was usually acquired, large classes, comprising many of the wealthiest citizens, were excluded from the franchise; so that, speaking generally, the system of borough representation had become in the last degree corrupt and vicious.

We have already noticed the circumstances which led to the overthrow of this preposterous system. (*Antè*, p. 95.)

The Reform Act (2 & 3 Will. IV. c. 45) deprived fifty-six boroughs, the lowest on a joint scale of population and property, of the right of returning members, and one member only was left to thirty others; while, on the other hand, twenty-four of the most important unrepresented towns were endowed with two, and twenty others with one representative: and in all boroughs, the old as well as the new, the elective franchise was given to householders of the yearly value of 10*l.* and upwards, with the reservation in the old boroughs of the parliamentary rights of freemen, subject to the condition of residence; and with the further proviso, that none should for the future become freemen but by birth and servitude; but all rights of voting before acquired, in whatever way, were saved to their possessors, with the further condition of residence. The municipal constitution of boroughs was not touched by the Reform Act. In 1833, however, a commission was issued, in compliance with an Address of the House of Commons, to inquire into the state of the municipal corporations of England and

Wales. The commissioners to whom it was directed, presented a Report early in 1835, of which the following are the principal statements and results:—

That the borough franchises and property were, with few exceptions, vested in small, and for the most part self-elected corporate bodies, as previously stated.

That the freemen or free burgesses, where there existed such a class, were not usually considered as members of the corporation, though having in almost all boroughs, in a greater or less degree, certain rights of election and eligibility to corporate offices. That they were generally but a small, and often the least wealthy and independent part of the population of the borough; in proof of which it was stated that the aggregate population of sixteen of the most populous boroughs having corporations was 659,431, while the whole number of freemen was only 34,697; the proportion between the two numbers being nearly as that of 19 to 1; but allowance should be made in the larger number for domestics and women.

That the higher corporate officers were considered as a necessary part of the legislative body. That there were in all corporations inferior officers, whose functions had altogether ceased, but who nevertheless continued to be elected in compliance with the letter of their charters.

That the *jurisdiction*, arising as it did from particular charters, in which no general system had been followed, varied in many places inversely as the population and importance of the places in which it was established; being most extensive in many of the smaller boroughs and most restricted in some of the largest.

That the *property* of corporations consisted of lands, tithes, and other property of the same description. That they had also revenues arising from the tolls of markets and fairs, from duties on export and import of goods, usually called town dues; from quay dues and anchorage dues; from fees payable on admission of burgesses and officers, and from fines imposed for refusal to serve in corporate offices. That such property was not generally adequate to the fulfilment of municipal purposes; and that in some places a borough rate, in the nature of a county rate, was levied on the inhabitants to supply the deficiency. That in parliamentary boroughs, the municipal expenses had been in many instances, either wholly or in part, defrayed by their patrons. That since the passing of the Reform Act this assistance had been discontinued in such boroughs as had been disfranchised, and that some of them had, in consequence, ceased to maintain any municipal institutions. That the corporations had also in many cases property vested in them in trust for charitable purposes, and had, moreover, considerable patronage, both lay, as of schools and hospitals, and ecclesiastical, as of livings.

That the *freemen* had, in many cases, claims upon the property vested in the corporation, in the shape of rights of common, &c. &c., and were entitled, in some places, to pecuniary assistance upon certain occasions. That they were also generally entitled to exemptions from tolls and town dues, and had in some places exclusive rights of trading. That the freemen commonly, and in some places the inhabitants at large

also, claimed to be exempted from serving upon county juries, to which they would otherwise have been liable as freeholders of their respective counties.

With regard to the mode in which such powers, franchises, and property were exercised and administered, it appeared from the Report—

That the power of making *freemen*, so far as it was discretionary in the corporation, was chiefly exercised by them, and that the freedom also was commonly claimed for political purposes, as was shown by the great increase in the number of admissions, which generally took place on the approach of a general election.

That evil had arisen from the union of offices not properly compatible, as that of mayor with that of magistrate or that of coroner; and that in the appointment of corporate officers more regard was paid to party claims than to the capacity of those selected.

That improper and incompetent persons had been in many instances intrusted with the exercise of the corporate *jurisdiction;* and that, in consequence of this and other causes, such as the unwillingness of the corporation to undertake responsibility, the suspicion of partiality attaching to the juries selected from the freemen, the expensiveness of the proceedings in civil matters, and in criminal matters the bad state of the borough gaols acting upon the humane feelings of prosecutors, such jurisdiction had, in most places, excepting those in which it was exclusive, fallen into comparative disuse.

That in the disposal of their *property*, corporations did not, except in very few instances, recognise any obligation to apply it to public purposes, though in practice many corporations had undertaken works for the general benefit of the borough. That in most instances the property of the corporation was, to a greater or less extent, administered for the benefit of the members of the corporation and their families. That much of it was consumed in feasts or entertainments, or in extravagant salaries to the corporate officers; and that in some instances the corporate funds had been largely applied for electioneering purposes. That apart from any corrupt application, the expenditure of corporate funds had been very generally improvident; and that many corporations were considerably in debt. That the funds vested in corporations for charitable purposes had been very commonly misapplied and diverted to the use of the corporation; and that, in the selection of objects of charity or patronage, undue regard had been paid to the votes or political services of applicants; and that they had in other respects neglected the proper superintendence of the charities subject to their visitation.

That the corporations had very generally proved inadequate duly to fulfil such purposes of local government as police, paving, and lighting; and that the management of these matters was, in consequence, particularly in the larger towns, usually committed to distinct bodies appointed by Act of Parliament.

The commissioners concluded their Report by representing that the existing municipal corporations of England and Wales neither possessed nor deserved the confidence of his Majesty's subjects, and that a thorough reform must be effected in them before they became what they ought to be, and might be, useful and efficient instruments of local government.

Founding upon this Report, ministers introduced, in 1835, a Bill for the reform and remodelling of municipal corporations into the House of Commons, which, after much discussion and considerable alteration, was finally passed into a law, the 5th and 6th Will. IV. c. 76. By this Act, which embraces in its provisions 178 of the municipal corporations of England and Wales, the corporation in every place to which it applied was dissolved, and replaced by a municipal body consisting of mayor, aldermen, and burgesses, which was thenceforth to be the style of all municipal corporations, their constitution and government being regulated as follows:—

All who for three years have occupied a house or shop within the limits, and who, during that period, have habitually resided within seven miles of such limits, and have also during the same time been rated to the poor of some parish in the borough, are entitled to be placed on the list of burgesses. These elect the councillors, whose qualification for the office in boroughs divided into four or more wards is 1,000*l.* capital, or to be rated at 30*l.* annual value: in boroughs of inferior size, half these sums respectively. The number of councillors is fixed by the Act for each borough, and one-third of them go out of office every year. The councillors elect aldermen, whose number is one-third of that of the councillors, in conjunction with whom they compose the town council. Half the aldermen go out of office every third year: out of the aldermen the council elect the mayor, whose office is annual, with the capability of re-election, and whose business it is to preside over the council.

To this town council, composed of mayor, aldermen, and councillors, has been transferred the municipal powers and functions of the corporation which they have succeeded, curtailed in some respects, extended in others. The curtailment is chiefly as to the jurisdiction, which is no longer exercised by the officers of corporations, save by express delegation of the Crown. The King is empowered to issue his commission of the peace to 128 boroughs named in the Act, without any expression of a wish on their part, and to 50 others also named, upon their special petition. The King is also empowered to appoint, upon like petition from any borough, a police magistrate, with a salary to be first provided by the town council out of the borough funds, and farther to nominate a recorder in such boroughs as shall present a petition in that behalf, showing sufficient ground for the request, and stating the salary they are willing to pay; such recorder, who must be a barrister of five years' standing, to have the power of holding quarter sessions, in which he is to be sole judge, equal in extent of jurisdiction to the quarter sessions of a county.

The municipal functions of the new town councils are increased by the cessation of the powers conferred by local Acts for paving, lighting, and police; the latter power, which is committed to the hands of the mayor and a sufficient number of councillors, being subjected to the control of the Secretary of State for the Home Department.

In the town council also is vested the whole of the property of the old corporation, except tolls, which are abolished, to be administered by them, as well as any proceeds which may accrue from the corporate jurisdiction for the general purposes of the borough, and subject to the control and inspection of auditors appointed by the burgesses at large.

But the town councils were required to sell all advowsons, and to appoint trustees of all property held by them for charitable uses.

One only of the ancient franchises is left untouched: that is, the parliamentary rights of freemen or free burgesses, as retained by the Reform Act; and in addition to this, all rights of property and valuable exemptions are reserved to existing freemen, and all rights of property to all who shall hereafter become freemen by birth, marriage, or apprenticeship, though no longer entitled as such to any place in the municipal constitution. It was further provided that all officers of the old corporations, such as town clerks, bailiffs, treasurers, or chamberlains, discontinued by the new town council, should receive compensation, regard being had to the manner of their appointment, and their term or interest in their office.

By this Act a power is reserved to the Crown of granting charters to boroughs or towns not incorporated; and such power will doubtless, when occasion arises, be exercised in accordance with the system just described.

Table specifying the Number of Boroughs first mentioned in each Reign as being in England, the Charters of Incorporation granted in each Reign, the Boroughs summoned to Parliament in each Reign, &c.

	Number of Boroughs first mentioned in each Reign as being in England.	Charters of Incorporation granted in each Reign.	Boroughs summoned to Parliament in each Reign.	Number of Municipal Boroughs in each County according to first Table.	
William I.	78			Bedfordshire	2
William II.				Berkshire	5
Henry I.	4			Buckinghamshire	6
Stephen	1			Cambridgeshire	1
Henry II.	3			Cheshire	1
Richard I.	8			Cornwall	24
John	24			Cumberland	4
Henry III.	24			Derbyshire	1
Edward I.	53		107	Devonshire	21
Edward II.	16		24	Dorsetshire	8
Edward III.	27		83	Durham	3
Richard II.				Gloucestershire	4
Henry IV.	2			Huntingdon	1
Henry V.				Hampshire	18
Henry VI.	4	10	5	Hereford	6
Edward IV.	2	10	2	Hertford	4
Richard III.		6		Kent	12
Henry VII.				Lancashire	6
Henry VIII.		6	10	Leicestershire	1
Edward VI.	5	12	27	Lincolnshire	5
Mary, and Philip and Mary.	7	13		Middlesex	2
Elizabeth	13	24	21	Monmouth	1
James I.	3	26	7	Norfolk	6
Charles I.		12	1	Northampton	4
Cromwell		1		Northumberland	6
Charles II.	1	1	2	Nottingham	3
James II.		13		Oxfordshire	7
William and Mary			245	Shropshire	6
Anne		4	This number had, previous to the Reform Act, been reduced to 214, of which 202 in England, 12 in Wales. Since the passing of that Act there are 187 Parliamentary Boroughs in England, and 13 principal Boroughs in Wales.	Somersetshire	19
		3		Stafford	3
	275			Suffolk	8
	add 1 Borough by prescription.	150		Surrey	8
				Sussex	11
	276			Warwickshire	3
				Westmoreland	1
				Wiltshire	21
				Worcestershire	8
				Yorkshire	20
				Cinque Ports (omitted before)	8
					276

The above table is made up from those in Messrs. Merewether and Stephens' work on boroughs, and shows the successive growth of corporations and boroughs. But as many of the places to which it refers have fallen into decay, it is not applicable to their present condition; in regard to which more recent and accurate information may be found

in the Appendices to the Report of the Corporation Commissioners, whence it appears

That the number of municipal boroughs in England and Wales, concerning which they instituted any inquiry, was	285
(Of which England had 231, and Wales 54.)	
Of these there were, in England, towns counties in themselves	17
Ditto in Wales	2
And of the whole there were, parliamentary and municipal, in England	137
Ditto in Wales	41
Municipal only in England	94
Ditto in Wales	13
	—285
In addition to these 285 municipal boroughs, there were—	
Boroughs that were parliamentary and not municipal, in England.	53
(Of which 22 existed before the Reform Bill.)	
Ditto in Wales	16

Of these 285, 39 are stated by the commissioners to have been municipal only in name: of the remaining 246, no accounts were received from 8, and 1 (London) was not included in the Report, leaving 237, of which the total population is stated to have been at the time 2,028,613. The aggregate property of 315 (there being in 17 no property, and 5 in which it could not be accurately stated) was, per annum, 366,948*l.* 10*s.* Of this sum, that of the boroughs on the northern circuit of the Commissioners amounted to 94,703*l.*, and that of those on the north-western to 100,704*l.*

CHAPTER VI.—Sketch of the History, Constitution, Courts, etc., of Scotland.

Sect. 1.—*Historical Sketch.*

The early history of Scotland is at once obscure and uninteresting. The country was long one of the most barbarous in Europe; and though Kenneth II. (*anno* 838) is said to have united the extensive territories from the Tyne north to the Pentland Frith into one kingdom, it is abundantly certain that various extensive districts were in a great measure independent of the Crown for several centuries after this period. In consequence of their early holding Northumberland, Cumberland, and other lands in England, the kings of Scotland were accustomed to appear in the English court to perform homage for these possessions, in the same way as the English monarchs were themselves accustomed to perform homage to the kings of France for Normandy and the other provinces held by them in that kingdom.—(*Stuart's Public Law of Scotland*, note viii.) On the extinction of the direct line of the Scottish kings in 1290, by the death of Margaret of Norway, John Baliol and Robert Bruce, descendants of the Scottish king David I., appeared as competitors for the Crown. The pretensions of both were supported by powerful parties, and, to avoid a civil war, it was agreed to refer the matter to the amicable decision of Edward I., king of England. This able and politic prince availed himself of the opportunity to advance the principle, for which the homage that had been performed

by the Scotch princes for their English possessions afforded a colourable pretext, that the kings of England were the paramount sovereigns or liege lords of Scotland, and that the competitors for the Crown should do homage to him as such. This was consented to; and Edward, finding Baliol most suitable to his views, decided in his favour. The latter, however, being less subservient than was expected, was speedily set aside by Edward, who attempted to seize the kingdom on pretence of its having escheated to him through the rebellion of his vassal.

The nation, however, was not to be so transferred. Sir William Wallace raised the standard of independence; and in the sequel, the famous Robert Bruce, grandson of the competitor of Baliol, appeared in the field. Bruce, after unparalleled exertions, continued through a series of years, completely defeated Edward II. in the decisive battle of Bannockburn in 1314; and by that great victory secured the independence of Scotland, and established himself and his family on the throne.

The only daughter of Robert Bruce having married the Lord High Steward, Robert, the issue of that marriage, and the first of the family of Stuart who arrived at the royal dignity, succeeded to the Crown on the death of David II., in 1371. From this period the history of Scotland is comparatively well known; and the continued and extraordinary ill fortune that attended the lengthened series of princes of the House of Stuart has vested it with more than ordinary interest.

The principles of the reformers were early introduced into Scotland, and were eagerly adopted by the great bulk of the nobility and people. The Protestant religion obtained the ascendancy in 1560, shortly before the return of the beautiful but ill-fated Queen Mary from France, where she had been sent to be educated. At this period the royal authority was at a very low ebb; the most violent contentions prevailed amongst the nobility; and it would have required a sovereign of no ordinary ability and energy of character to conduct the government under such difficult circumstances. We need not, therefore, be surprised at the failure of Mary, who, though not without good talents, was wholly inexperienced, at the same time that she had the misfortune to have been strongly imbued with anti-Protestant prejudices, and that the violence of her passions made her sacrifice her own reputation and innocence, and the well-being of the kingdom, to their gratification.

Having been deposed in 1567, Mary was succeeded by her son, James VI., then a minor. The latter succeeded, on the demise of Queen Elizabeth, in 1603, to the Crown of England, when the two British kingdoms were happily united under one sovereign.

From the accession of the House of Stuart to the union of the crowns, a period of about 230 years, Scotland, speaking generally, was in a most unsettled turbulent state. The feudal system had been early introduced into the country; and the great estates and influence enjoyed by several of the nobles enabled them to rival the sovereign in power and importance, and sometimes to despise his orders and insult his person. In France, England, and other countries, the sovereigns, by enfranchising the inhabitants of the great towns, and attaching them to their interests, succeeded, through their assistance, after a lengthened struggle, in

abating the pride and independence of the barons, and reducing them to obedience. But the kings of Scotland had no such support on which to fall back: there was not a single great town in the kingdom; and they had nothing to trust to but the supplies of men and money they could draw from the Crown estates and from the contributions of such of their vassals as happened to be at the time in their interest, or which they could coerce. In consequence of these and other concurring causes, the power of the Scottish kings was circumscribed within the narrowest limits; the civil broils in which they were almost always engaged were, in most instances, fomented and abetted by the government of England; and, a few short intervals excepted, the country was involved in continuous anarchy and confusion.—(See the introductory chapter to Robertson, Wallace on *Peerages*, and the *Histories* of Pinkerton, Tytler, &c., *passim.*)

Chronological Table of the Sovereigns of Scotland from the Accession of Alexander I. in 1107 *to the Union of the Crowns in* 1603, *showing the Dates of their Accession, the Length of their Reigns, and the Dates of their Termination.*

Sovereigns.	Reign began.	Length of Reigns. Years.	Mths.	Days.	Reign ended.
Alexander I.	8th Jan., 1107 . .	17	3	16	Died 27th April, 1124.
David I.	27th April, 1124 . .	29	0	27	,, 24th May, 1153.
Malcolm IV.	24th May, 1153 . .	12	6	16	,, 9th Dec., 1165.
William I. (The Lion)	9th Dec., 1165 . .	48	11	26	,, 4th Dec., 1214.
Alexander II.	4th Dec., 1214 . .	34	7	4	,, 8th July, 1249.
Alexander III. . . .	8th July, 1249 . .	36	8	8	,, 16th March, 1286.
Margaret	16th March, 1286 .	4	6	0	,, Sept., 1290.
John (Baliol)	17th Nov, 1292 . .	3	7	23	Resigned 10th July, 1296.
Interregnum	10th July, 1296 . .	9	8	15	Ended 25th March, 1306.
Robert I. (Bruce) . .	25th March, 1306 . .	23	2	13	Died 7th June, 1329.
David II.	7th June, 1329 . .	41	8	15	,, 22nd Feb., 1371.
Robert II. (Stuart) .	22nd Feb., 1371 . .	19	1	27	,, 19th April, 1390.
Robert III. ,, . .	19th April, 1390 . .	15	11	15	,, 4th April, 1406.
James I. ,, . .	4th April, 1406 . .	30	10	17	,, 20th or 21st Feb., 1437.
James II. ,, . .	21st Feb., 1437 . .	23	5	10	,, 3rd August, 1460.
James III. ,, . .	3rd Aug., 1460 . .	27	10	8	,, 11th June, 1488.
James IV. ,, . .	11th June, 1488 . .	25	1	28	,, 9th Sept., 1513.
James V. ,, . .	9th Sept., 1513 . .	29	2	5	,, 14th Dec., 1542.
Mary ,, . .	14th Dec., 1542 . .	24	7	10	Resigned 24th July, 1567.
James VI. ,, . .	24th July, 1567 . .	35	8	0	Ascended English Throne 24th March, 1603. Died 27th March, 1625.

SECT. 2.—*Constitution and Representative System of Scotland.*

The feudal system appears to have been early introduced into Scotland; and from the remotest period of which we have any authentic account, we find the superior power divided between the King and his Great Council or Parliament, which, as in England and other nations, appears to have been originally the feudal court of the sovereign. The feudal law of property has been preserved in Scotland; and there, also, the principle that none but the immediate vassals of the Crown should be entitled to appear, either directly or by representatives, in the meetings of the estates, or in parliament, has been enforced down to our own times.

The freeholders, or tenants *in capite* of the Crown, comprising the greater and lesser barons, were bound personally to attend the meetings of parliament in the 14th, 15th, and 16th centuries. By the greater barons were meant those who had the largest estates, several of whom

were distinguished by honours and titles; while by the lesser barons were meant the proprietors of the smaller class of estates, provincially called *lairds*. But as it would have been an obvious hardship to compel the owners of inconsiderable freeholds to attend in parliament, an Act, passed in 1458, excused those who held of the Crown for less than 20*l.* a-year from personal attendance; and in 1504 the exemption was carried still further.

Baronies in Scotland correspond with manorial lordships in England, all freehold properties of a certain amount being baronies, whether their owners are ennobled or not. It is, however, material to observe, that the greater had no privileges of any kind not enjoyed by the smaller barons; they were, in all respects, peers or *pares*. Down to a comparatively late period, every landed gentleman holding of the Crown might sit and vote in parliament; but he could not be constrained to attend unless his estate amounted to a certain sum.—(*Pinkerton's Hist. Scotland*, i. 358.)

Representative System.—The right to appear by representatives in the Scotch parliament was first granted to the burgesses of the Royal boroughs, a class of Crown vassals who could only be admitted by deputies. The date of the admission of the latter is not well ascertained. They are first distinctly mentioned as having been present at a parliament held at Cambuskenneth in 1326, in the reign of Robert I. (Bruce); but it has been supposed that they had attended some earlier parliaments.* It was not, however, till the reigns of James I. and James II. that representatives for boroughs began to be regularly present as constituent members of the estates.

In Scotland, attendance on parliament in ancient times was reckoned still more burdensome than in England; and, except on extraordinary occasions, the lesser barons, though bound to attend, were rarely present at its meetings. James I., having been long in England, was acquainted with the representative system established in that kingdom; and being desirous to introduce it into his dominions, he had a statute passed in 1427, which permitted the lesser barons to absent themselves from the meetings of the estates, on condition of their sending two or more representatives from each shire, according to its magnitude. But this alternative was hardly ever resorted to, and as the freeholders continued, in consequence, liable to personal attendance, it was judged necessary, as already seen, to exempt those having inconsiderable properties from this obligation. In those days, however, neither penalties nor entreaties were effectual to enforce the appearance even of the more important of the lesser barons. During the reign of James III. their attendance, when greatest, never amounted to 30, while it was frequently much less; and parliaments were repeatedly held in the reigns of James IV. and James V., at which not one of the smaller barons was present.† But when the kingdom began to be agitated by religious disputes, this apathy on the part of the lesser barons or gentry began to diminish; and in the reigns of Mary and her son they frequently attended parliament in large numbers. This, however, was in various

* Abercromby, Achievements, i. 635; Robertson, i. 282, 8vo. ed.; Wight, on the Parliament of Scotland, p. 45; Pinkerton, i. 350, &c.

† Wight, on the Rise and Progress of Parliament in Scotland, p. 58, ed. 1784.

respects inconvenient, and was especially disagreeable to the Crown and the nobility. In consequence, an Act was passed in 1587, making it imperative on the freeholders to send two representatives, of good rent and fair character, for each county, (excepting Clackmannan and Kinross, which sent one each,) whose charges they were bound to defray.* These were fixed, in 1641, at 5*l.* Scotch, or 8*s.* 4*d.* sterling per diem, during the sitting of parliament; to which period a certain number of days were added for the expenses of members in going to and returning from its meetings. Freeholders were not expressly excluded from personal attendance by the Act of 1587; but they never were present after its passing except as representatives.—(*Wight on Parliament*, p. 60.)

In the interval between the rise of the Reformation and the Revolution, the spiritual estate in Scotland was exposed to many vicissitudes. The Presbyterians did not require that their clergy should be represented in the national councils; and as often as they gained the ascendancy, prelates were excluded. These, however, were uniformly restored to their seats in parliament when the episcopal party predominated; and as they were mainly indebted for their existence and influence to the Crown, they were, at all times, the most slavish of its dependents, and its ready and willing instruments in every unconstitutional and despotical proceeding.

Hence it appears that subsequently to 1587, the parliament of Scotland consisted of the nobility and of the representatives (the smaller barons) of shires and boroughs, with sometimes an infusion of prelates. Independently, however, of the occasional exclusion of the latter, the Scotch differed in some important respects from the English parliament. In the *first* place, the Peers were not separated from the Commons, the Parliament forming but one chamber. This mixing up of the two estates in one deliberative body does not seem to have been remonstrated against, and continued as long as parliament existed: *secondly*, some of the principal officers of state sat and voted in Parliament in virtue of their office. The origin of this practice, which was calculated to give an overpowering influence to the Crown, has not been exactly ascertained, but it was regulated by an Act passed in 1617, which limited the number of the officers of state who, as such, were members of parliament, to *eight*, viz., the High Treasurer, the Treasurer Depute, the Secretary of State, the Keeper of the Privy Seal, the Master of Requests, the Clerk Register, the Justice Clerk, and the King's Advocate. When any of the offices held by these functionaries was put in commission, the King named one of the commissioners who, in consequence, became a lord of parliament. An Act of 1633 ratified this statute, and recognised the Lord Chancellor as President of the House. It may, in the *third* place, be noticed, as a peculiarity of the Scotch constitution, that the Commons never acquired the right of determining by themselves on the supplies, though the English Commons had early established this right in their representatives.

But the distinguishing feature of the Scotch parliament, and which latterly made it little better than a passive instrument in the hands of

* See *Wallace, on Ancient Peerages*, 2nd ed., pp. 285–294; one of the best works on the constitutional history of Scotland.

the monarch, was the famous committee, known by the name of the *Lords of the Articles*. It consisted of a select number of members of parliament, to which all matters to be brought before the latter had, in the first instance, to be referred, and which had power to reject such as it disapproved of, and to modify and alter the others in any way it thought proper. This committee had, therefore, a negative before debate; and the whole duty of parliament was confined to meeting to choose the Lords of the Articles, and then, when the work of the latter was over, it reassembled, for a day or two, to confirm or reject their proceedings.

This institution, of which the origin is uncertain, may probably be traced to the year 1367, in the reign of David II. It appears to have been intended to facilitate and improve the business of legislation, which was likely to be better attended to by a committee of experienced persons than by an assembly of unlettered feudal chieftains, strangers to and impatient of such subjects. Originally it seems to have consisted of an equal number of members chosen from each estate, and so long as these were fairly selected, the presumption seems to be that it would be advantageous. But in the course of the struggles between the Crown and the barons and people, the importance of being able to determine the election of the Lords of the Articles became obvious; and the power of doing this was in the end acquired by the Crown. The nomination of these Lords was, probably, in its hands previously to the reign of Mary, and was exercised to the fullest extent by her son. Occasionally, indeed, the Royal nomination encountered some ineffectual opposition; but it was fully conceded at the Restoration, and continued down to the Revolution. The Crown did not, however, directly nominate the members of the Committee, the usual plan being to devolve this task on the bishops, on whom it could depend, who chose eight noblemen, and these again eight bishops; and the sixteen so chosen nominated eight members for shires and eight burgesses; and even then the Committee was not complete till the King added to it the officers of State, who, in truth, directed all its proceedings.*

The Lords of the Articles were abolished by the Convention Parliament in 1690. The statute for that purpose recognised the right of the House to appoint Committees for the dispatch of business; these were to consist of an equal number of members chosen by each estate, that is, by the nobility, the barons (commissioners of shires), and the burgesses. The officers of State who sat in Parliament might attend these Committees, but they had no vote.

The powers assumed by the Scotch parliament fluctuated according to the times; but, in its earlier periods, we find it interfering to what seems an unusual extent with the royal prerogative. It is affirmed that, by the older constitution of Scotland, the king neither possessed a *veto*, nor the power of making peace or war without consent of Parliament. As to the latter, it mattered little whether it were recognized theoretically or not, so long as the Crown had no standing army;

* For further information as to the Lords of the Articles, see *Robertson's Scotland*, book i.; the note No 29 in the work of Dr. Gilbert Stuart on the *Public Law of Scotland*; *Wallace on Peerages*, 2nd ed., pp. 342-348; *Wight on the Parliament of Scotland*, pp. 85-98, &c.

and in Scotland there was none till 1662. The assertion that the king was bound to ratify, by touch of the sceptre, all Acts which Parliament brought to him, is admitted by James VI, in a speech to the English Commons, in which he congratulates himself that his command of the Lords of the Articles made the limitation quite nominal. Parliament took advantage of the difficulties in which Charles I. was placed, to extort from him, in one of his parliaments, an insincere acquiescence in this restriction. But after the Restoration neither the one right, nor the other, was ever claimed by parliament, and the questions were not again seriously revived.

The accession of the House of Stuart to the English throne, had a great, and in some respects a sinister, influence over public affairs in Scotland. The barons could no longer look to England for open or underhand support in their contests with their sovereigns; while, at the same time, the power of the latter was vastly increased by their being able to employ the resources of a far more civilized, populous, and powerful monarchy, in their disputes with their ancient subjects. The Scottish parliament, which consisted almost wholly of nobles and their nominees, was very ill-fitted to contend with this increased influence on the part of the Crown. During the melancholy period between the Restoration and the Revolution, when the Crown endeavoured, by the most atrocious persecution, to extirpate that Presbyterianism to which the people were enthusiastically attached, parliament seldom manifested any inclination to oppose its most violent and most unconstitutional measures; and slavishly permitted without a struggle, every restraint on the prerogative, and every safeguard for the liberty of the subject, to be swept off. It may safely be affirmed that Scotland was then subject to the very worst of governments, administered by the very worst of men.

The different constitution of the English and Scotch parliaments accounts, in some degree, for the great power which the Commons early attained in the former, and for the little power which they ever attained in the latter. But more stress has, notwithstanding, been laid on this difference of constitution than it deserves. The Commons of Scotland had little power or consideration in Parliament, because they had little wealth and consideration in the country. The towns were quite inconsiderable; and were destitute of anything worthy of the name of trade and manufacture. The land, the only species of property in the country, was almost entirely engrossed by the nobility, or by their connections and dependents, and continued to be so till long after the Union. In consequence, the knights of the shire were merely their nominees; and the representatives sent by the boroughs were too poor and inconsiderable to make any effectual opposition to the Crown or the nobility, whose influence, indeed, preponderated nearly as much in the towns as in the country. In England, the state of things was widely different. At an early period she possessed many large towns, with extensive manufactures and trade. The Commons, in consequence, became wealthy, and purchased large landed property, which after the passing of the statute of *Quia Emptores*, they held not, as in Scotland, of the alienor, but directly of the Crown. Hence the real cause of the decline of the power of the feudal nobility, and of the rise of that of

the Commons in England; and hence, also, the different political system, and the different distribution of power that obtained there and in Scotland.

The extent to which the proceedings of parliament and of the administration, had disgusted the nation, became evident on the landing of our great deliverer William III. With the exception of the friends of prelacy, popery, and arbitrary power, who luckily formed but a small minority, all classes rose against James; and the Revolution was effected with as much ease in Scotland as in England. Having briefly recapitulated some of the more offensive and odious measures of his reign, the estates went on to declare by a decisive vote, "That James VII., being a professed Papist, did assume the royal power, and acted as king, without ever taking the oath required by law; and had, by the advice of wicked and evil councillors, invaded the fundamental constitution of the kingdom, and altered it from a legal limited monarchy, to an arbitrary despotic power; and hath exerted the same to the subversion of the Protestant religion, and the violation of the laws and liberties of the kingdom; whereby he hath forfaulted (forfeited) his right to the crown, and the throne has become vacant."

The vacant throne was filled by William and Mary. The principal abuses that had characterized the government of the two preceding reigns, were also enumerated and digested into an instrument, called a Declaration and Claim of Rights, presented and assented to, by the new sovereigns. Among other articles, this instrument declared prelacy and precedence in ecclesiastical office, to be repugnant to the genius of the nation, and an intolerable grievance; it affirmed that no Papist could ascend the throne; and denounced as illegal and unconstitutional, the methods resorted to by the late government, in the seizure, imprisonment, and condemnation of individuals. A separate list of grievances was also framed, in order to their being corrected in parliament. In this list the estates denounced the committee of articles; the keeping up of a standing army in time of peace, without the consent of parliament; the act of supremacy, the manner and measure of the popular representation, &c.

In consequence of the public attention being thus directed to the subject, the number of representatives to be sent by the Commons to parliament, was increased by an Act passed in 1690; but this Act did not effect any real reform, for it did not widen the basis of the representative system, which, (as will immediately be seen,) continued to be, as it had previously been, narrow and anti-popular, in a degree not easily to be imagined. Under the Act of 1690, the counties returned 92 knights of the shire, and the boroughs 67 burgesses.

The disputes that might otherwise have arisen in regard to the succession to the crown on the demise of Anne, made a legislative union with England most desirable. It was carried with difficulty through the Scotch parliament; promises, threats, and bribes, being liberally employed to ensure its success. Its unpopularity, at the time, in Scotland, was excessive; and it was sincerely deplored by Fletcher, of Saltoun, Lord Belhaven, and the best Scotch patriots. But their regrets were occasioned rather by the sacrifice of national independence, which it involved, than by any other feeling; for, in every point of

view but this, the union was most beneficial. "The loss of a corrupt and factious parliament, was the greatest blessing which Scotland could obtain;"* and was indispensable, indeed, as a preliminary step, to the introduction of anything like an improved system of government.

The Act of Union took effect on the 1st of May, 1707. Amongst others it contained the following stipulations:—A union of England and Scotland into one kingdom, with one parliament, and a full freedom of trade to the subjects of the one country, in the colonies and dominions of the other; the complete uniformity of customs and excise; the fixing of the proportion of land-tax, payable by Scotland, at 48,000*l.*, for every 2,000,000*l.* to be levied in England; the payment of 398,000*l.* to Scotland, as an equivalent for that part of the augmented customs and excise which should be applicable towards payment of the public debt of England; the equivalent to be applied, in the first instance, to the discharge of the public debt of Scotland; a uniformity of public law in the two kingdoms; reserving the Scotch judicatures and private law, the hereditary jurisdictions, the rights of the royal boroughs, and the rank and precedence of the Scotch peers: and, finally, the establishment of Presbyterianism as the national form of church government in Scotland. The Crown was to have the power of retaining a privy council for Scotland; but the Scottish privy council was immediately abolished; the hereditary jurisdictions were, also, abolished in 1748, on compensation being made to the owners.

The number of representatives to be granted to Scotland, in the united parliament, formed a difficult question. At the outset the English commissioners proposed that Scotland should send 13 peers and 38 commoners; but in the end it was decided that Scotland should be represented in the House of Lords by 16 peers, and in the Commons by 45 members. It is needless now to inquire whether this were a fair proportion. It was, at the time, all but universally objected to in Scotland; but looking at the then state of the two countries, at the wealth and civilization of England, and the poverty and barbarism of Scotland, it does not appear that the complaints of the latter of having too small a share in the representation of Great Britain, had any good foundation.†

Since the Union the Scotch representative peers, like the members of the House of Commons, hold their seats for one parliament only, being elected by their own order, who may vote by proxy. Of the 45 members of the House of Commons, 30 were assigned to the shires, and 15 to the boroughs. Twenty-seven counties had each one member; the remaining six electing members for alternate parliaments. Of the borough representatives, Edinburgh had one; the other 65 boroughs were divided into 14 districts, each of which chose a member; for this purpose each borough chose a commissioner; and the commissioners for each district having met, chose the member by a majority of votes; each borough having, in its turn, a casting vote, in case of an equality of votes among the commissioners. In this situation matters remained till 1832.

* Laing's History of Scotland, iv. 396.

† In the union of the three kingdoms projected by Cromwell, England and Wales were to return 400 members, and Scotland and Ireland 30 each.

Of the 154 noblemen who stood on the roll of Scotch peers at the Union, only five possessed British peerages. The number of Scotch peers is now about 80, of whom about a third part are also British peers, and as such sit in the House of Lords, retaining at the same time their right of voting for Scotch peers.

It was determined by an Act passed in the last Scottish parliament, 1707, c. 8, that the elective system under which members had previously been returned to the parliament of Scotland, should be preserved and acted upon in returning members to the parliament of Great Britain. This system was briefly as follows:—

1st. *Of the Shires.*—We have seen that the electors of members for shires in the Scotch parliament were the king's freeholders. Their qualification was put by an Act of 1681, c. 21, on the footing on which it continued down to the Reform Act. An elector was required to be seised, and in possession of "a forty shilling land of old extent," or of "lands liable in public burden for his Majesty's supplies, for 400*l.* (Scotch) of valued rent." The "old extent" was a valuation of uncertain date, but, at least, as old as the fifteenth century.* The "valued rent" was the rent set down in a general valuation, made about the middle of the seventeenth century. But the lands, forming the qualification, were to be "holden of the king;" and for understanding this condition, and the use which was made of it, it may be necessary to state, that in Scotland the feudal system of holding lands prevails universally. Every foot of ground is, in law, held to belong to the king, and is possessed by the subject under a charter from the crown. But the vassal who holds the crown charter may create subvassals under himself, who possess his lands, or parts of them, under such lawful conditions of yearly payment or services as he may choose to impose. When the possession of a vote for a county became a desirable object, advantage was taken of the law to separate the franchise from the real property of the lands. Thus, if a landed proprietor wished to sell his estate, but to retain his franchise, he granted a charter accepting the purchaser as his vassal in the lands; the duties imposed on the latter, being in most instances quite nominal, such as the twelfth part of a penny a year, "if asked only." But the more common case was for the proprietor of a large estate, the valuation of which would afford several qualifications, to create voters upon it in the persons of his friends or dependents. The method of doing this was by a somewhat complicated manufacture of charters; the result being, that at the next meeting of freeholders, each of the new voters claimed enrolment on producing a crown charter, in his favour, over a portion of the lands, and a certificate from the commissioners of supply, that this portion was entered in the public tax-books, for an amount of land-tax entitling the possessor to a vote. The real owner became for the portions of his estate so alienated, the vassal of the new freeholders, under

* The term "old extent" was applied to several successive valuations. There was an "old extent" anterior to the reign of King Alexander II.; another in that reign; another in the reign of King James I., and another in that of his successor; though this last was, perhaps, not of the whole kingdom, as the others, but of the southern counties only.

a nominal duty, retaining a crown charter for the rest of his lands. These fictitious votes, or "superiorities," as they were called, soon became matter of traffic, bearing a different price in each county, and varying in their value in the same county, according to the state of politics at the time of sale, being sometimes worth not less than 2,000*l.* Feuars or copyholders, tenants, house and mill-owners, manufacturers and merchants, and all other descriptions of persons, how rich and respectable soever, were excluded from the franchise. This was monopolised by a handful of landed proprietors, and their creatures and dependents. So strict and exclusive was the system, that at its abolition in 1832, the total number of freeholders, or of voters for counties, in Scotland, did not exceed 3,200! Of these from 500 to 600 possessed freeholds in more than one county; and about half these freeholders possessed merely the superiority—the parchment franchise—without having any right to an acre of the ground, or to a penny of the rent of the lands for which they were enrolled! The greatest number of voters in the most populous county, did not exceed 260; and one county which returned a member had only 23 voters! At an average the counties had a constituency of 97 each!

The older statutes differed upon the subject; but since the Union it has been held that the only qualification for a Scotch member, supposing him to be free from the statutory personal disqualifications, is that he should be on the roll of the county as a freeholder. By the practice of Scotland, previously to the Union, the eldest sons of peers could not represent counties or boroughs in the Scotch parliament; and they were afterwards refused admission to the roll of freeholders, and consequently had no vote.

2nd. *Of the Electors for Boroughs.*—These were placed on a simpler, and (though that may seem difficult) even less satisfactory, footing, than those for counties. The nomination of the borough representatives appears to have always been in the hands of the magistracy of the boroughs, and it was not unusual for the chief magistrate of a borough to represent it in parliament. Had the magistrates been themselves popularly elected, this system might not have been very objectionable; but instead of this they were, for some centuries, down to the passing of the Scotch Borough Reform Act in 1833, completely *self-elected.* The principle of self-election was introduced by an Act of James I. in 1469, which, on pretence of obviating disorders, which, it was alleged, were occasioned by the choosing of the magistrates, directed that the old councils of the different towns should in future elect the new! It is needless to dwell upon the preposterous absurdity of such a system. Even after many of the towns had become populous and wealthy, it frequently happened that a junto having got an ascendency in the council, perpetuated themselves and their powers, and continued for years to engross every situation in the magistracy, and to vote in the return of the representative to the House of Commons without having any influence whatever in the town, and sometimes, indeed, when they were detested by the bulk of the inhabitants. But by far the greater number of the town councils were the mere creatures of some considerable family in the vicinity, by whom, indeed,

they were usually nominated. Hence, as already stated, the representation of the towns was as bad and unpopular as that of the counties, or, if possible, worse.

Even if the constituency of the boroughs had been as extensive as it was limited and oligarchical, the increase of some towns and the decline of others would have rendered the old system of voting inapplicable and absurd. With the exception of Edinburgh, which returned one representative elected by the town council consisting of *thirty-three* individuals the other parliamentary boroughs were, as already seen, distributed into groups or districts, each of the associated boroughs having a vote in the election of their joint representative. And under this system the city of Glasgow (now represented by two members), which in industry, wealth, and population, is hardly inferior to any town in the kingdom, the metropolis excepted, was associated with the inconsiderable boroughs of Dunbarton, Rutherglen, and Renfrew, every one of which had an equal share in the election of the common representative! In like manner the votes of Aberdeen, Dundee, and Perth, were countervailed by those of their insignificant associates; and the great towns of Paisley and Greenock were not even admitted to any share, how small soever, in the choice of representatives.

It is obvious, therefore, that the representative system, if so we may call it, established in Scotland previously to the Reform Act, was neither more nor less than a burlesque of all principle, and an insult to the public and to common sense. "When we look," said Mr. Fox, "to the kingdom of Scotland, we see a state of representation so monstrous and absurd, so ridiculous and revolting, that it is good for nothing except, perhaps, to be placed by the side of the English, to set off the defective points of our system by the comparison of one incomparably more defective. In Scotland there is neither a representation of property for the counties, nor of population for the towns. It might so happen that all the members for Scotland might come here without having the vote of a single person who had a foot of land. In the boroughs the magistrates are self-elected, and as they elect the members the latter have nothing to do with the population of the towns." (*Speech in the House of Commons, 26th May*, 1797.)

The fact is, notwithstanding all that has been alleged to the contrary, that down to 1832 Scotland had the shadow merely without the substance, the disadvantages without any part of the advantages, of a representative government. Whatever of freedom or of good government she enjoyed from the Union to the Reform Act, was wholly owing to her liberal form of church government, which kept alive ideas of independence in the minds of the people; to her system of parochial education; and most of all to her association with England; to the power of petitioning the parliament of the United Kingdom; and to the appeal in civil cases from the Court of Session to the House of Lords.

The Scotch Reform Act, or Act to amend the Representation of the People in Scotland, received the royal assent on the 17th of July, 1832. Its leading provisions are as follows:—

1. Scotland is represented in the House of Commons by fifty-three

members; of whom thirty are for the shires, and twenty-three for the cities, boroughs, and towns.

2. No disfranchisement took place, except in the case of the boroughs of Peebles, Selkirk, and Rothsay. Such of their inhabitants as are qualified as county electors, have votes in the counties in which they are situated.

3. The thirty-three counties are classed in two schedules: those in the first schedule, twenty-seven in number, return one member each; those in the second, six in number, are joined in pairs, each of which returns one member. The shires returning one member are, Aberdeen, Argyle, Ayr, Banff, Bute, Berwick, Caithness, Dumbarton, Dumfries, Edinburgh, Fife, Forfar, Haddington, Inverness, Kincardine, Kirkcudbright, Lanark, Linlithgow, Orkney with Shetland, Peebles, Perth, Renfrew, Roxburgh, Selkirk, Stirling, Sutherland, and Wigtown. The combined counties, each pair returning a member, are, Elgin and Nairn, Ross and Cromarty, and Clackmannan and Kinross.

4. The constituency of the shires is of two kinds, Proprietors and Tenants.

Proprietors.—1. All persons who, at the time of the passing of the Act, were on the old roll of freeholders of any shire, or who, previously to the 1st of March, 1831, had acquired a qualification entitling them to be enrolled. The right of voting so reserved to the former electors, is personal to them, and cannot be perpetuated or transferred to others.

2. Every person who is the owner of lands, houses, or other fixed property (except debts heritably secured) within the county, if the same shall be of the yearly value of 10*l.* Any annual duty, or other annual consideration, which the claimant may be bound to pay for his right, must be deducted in valuing the property; and the voter must, (1.) be in possession of the property by himself or servants, tenants, &c.; and, (2.) he must have been the owner of such property for not less than six calendar months previously to the last day of July in the year in which he claims enrolment; unless he have acquired it by inheritance, marriage, or *mortis causa* deed, or by appointment to any place or office; in which cases, six months' possession is not required. Joint owners may vote, provided each has an annual interest amounting to 10*l.*

Tenants.—1. Every tenant in lands, houses, or other fixed property, under any lease or other written title, for (1.) a period of not less than fifty-seven years certain, or for his lifetime, provided the yearly value of the tenant's interest, after paying the rent, be not less than 10*l.*; or (2.) for a period of not less than nineteen years, where the yearly value of his interest is not less than 50*l.* A tenant of these descriptions need not be in the personal possession of the premises; but he must have held them under his lease for twelve months, previously to the last day of July in the year when he claims enrolment; unless he have acquired them by inheritance, or the other means specified above in the case of owners.

2. Tenants of lands, houses, &c., where the yearly rent is not less

than 50*l.*; or where, whatever the rent may be, the tenant has truly paid for his interest not less than 300*l.* These tenants must have been in the actual personal possession of the lands, &c., for twelve calendar months previously to the last day of July in the year wherein the claim of enrolment is made. Sub-tenants or assignees to the leases specified in the article immediately preceding (10*l.* for fifty-seven years, or 50*l.* for nineteen years) can also vote, provided they have had twelve months' personal possession.

5. The cities, boroughs, and towns, seventy-six in number, are divided into three classes: (A.) To return two members each;—Edinburgh and Glasgow. (B.) To return one member each;—Aberdeen, Paisley, Dundee, Greenock, and Perth. (C.) Combined burghs and towns, each set or district jointly to return one member:—1. Kirkwall, Wick, Dornoch, Dingwall, Tain, and Cromarty;—2. Fortrose, Inverness, Nairn, and Forres;—3. Elgin, Cullen, Banff, Inverury, Kintore, and Peterhead;—4. Inverbervie, Montrose, Arbroath, Brechin, and Forfar;—5. Cupar, St. Andrew's, Anstruther E., Anstruther W., Crail, Kilrenny, and Pittenweem;—6. Dysart, Kirkcaldy, Kinghorn, and Burntisland;—7. Inverkeithing, Dumfermline, Queensferry, Culross, and Stirling;—8. Renfrew, Ruthergien, Dunbarton, Kilmarnock, and Port-Glasgow;—9. Haddington, Dunbar, North Berwick, Lauder, and Jedburgh;—10. Leith, Portobello, and Musselburgh;—11. Linlithgow, Lanark, Falkirk, Airdrie, and Hamilton;—12. Ayr, Irvine, Campbeltown, Inverary, and Oban;—13. Dumfries, Sanquhar, Annan, Lochmaben, and Kirkcudbright;—14. Wigtown, New Galloway, Stranraer, and Whithorn.

6. The voters for boroughs are qualified either by occupancy or ownership. Occupancy or possession is not necessarily personal, but may take place by servants or others: occupancy is thus different from residence.

Occupancy.—1. All persons occupying as proprietor, tenant, or life-renter, any house, warehouse, or other building within the bounds of the borough which, either separately or jointly with any other house or other building within the same limits (also occupied by him), shall be of the yearly value of not less than 10*l.* Or, 2. Persons occupying premises as above, which, with any *land* owned and occupied by the same person, or occupied under the landlord to whom the house, warehouse, &c., belongs, and also situated within the same limits, are of the clear yearly value of not less than 10*l.* The occupants must (1.) have been in occupancy of premises of the necessary description and value for twelve calendar months before the end of July; (2.) have resided six calendar months, previously to the end of July, within the borough, or within seven statute miles of it; (3.) have paid, before the 20th of July, all assessed taxes due for the premises previously to 6th April; and (4.) they shall not have received parochial relief within twelve calendar months previously to the end of July. Joint occupiers have right where the premises are of sufficient value.

Ownership.—All persons who are the true owners of premises as above mentioned, within boroughs, of the yearly value of 10*l.*, whether they have occupied them or not. But though occupancy of the premises for which enrolment is claimed be not necessary, the claimant

must have resided in the town, or within seven miles of it, for six calendar months before the end of July.

7. Provision is made for keeping a register of voters, without entry in which no one shall vote, and for correcting the register annually; for which purpose any new claims must be given in on or before the 20th of July; and the sheriff is to decide on these, admitting or rejecting them before the 15th of September. Appeals against his decision are presented to the sheriffs attending the circuit courts, when the county or borough is within a circuit. In the counties of Edinburgh, Haddington, and Linlithgow, where no circuits are held, the appeal is made to the three sheriffs of these counties jointly.

8. Eldest sons of Scotch peers are entitled to be registered and to vote at all elections, and are eligible as members, though not registered: and no member for any county is required to be qualified as an elector, or to hold any superiority within such county. No qualification is required for members for boroughs.

These statements show that the Reform Act has given Scotland a new constitution, and most certainly it was not given before being needed. Her old representative system was so in name only. It was a mere device, by which to stifle the expression of popular feeling, and to concentrate all the authority and influence of government into a few, and those not the most worthy, hands. The Reform Act is, next to the Union, the greatest boon ever bestowed on Scotland, and has done for her what the Revolution and the Bill of Rights did for England.

But imperfections are inherent in most things; and the greatest defect, perhaps, of the new arrangements is the giving of votes in counties to tenants or occupiers of lands merely as such. They are about the very last description of persons on whom the franchise should have been conferred. Very many of them are indebted to, and dependent, to a greater or less extent, on their landlords; and the few who are independent are so because they have accumulated property, and would, in consequence, have been entitled to the franchise, had it been conferred, as it should have been, on those only who possessed a certain amount of realised property. If that be, as it unquestionably is, the best system of voting that brings the greatest number of independent electors to the poll, and keeps back the greatest number of those that are dependent, the giving the franchise to the tenants and occupiers of land must be about the very worst system, for they are, of all classes, that which is most dependent, and most at the mercy of others.

Inasmuch as Scotch tenant voters usually have leases, it has been supposed that they will be more independent than those of England, where the majority hold at will. We doubt, however, whether there be any real foundation for this opinion. Owing to the differences as to religion in Ireland, the tenants, who are mostly all Catholics, have of late years been very frequently opposed to their landlords, who are mostly all Protestants. But when no such powerful influence as that of religious feelings or prejudices comes into the field, tenants usually support the candidates patronized by their landlords. The number of those who are in a situation to act on their own convictions, without

caring for the consequences, is extremely limited indeed. In Scotland, notwithstanding the occupiers are mostly in comfortable circumstances, and leases all but universal, the number of those who vote otherwise than their landlords is so very inconsiderable, that, in estimating the chances which any candidate has of succeeding in a county, no one ever thinks of inquiring into the politics of the tenants, but merely into those of the landlords, it being supposed that the former will, as a matter of course, follow the latter. To such a degree is this the case, that instances have occurred in Scotland since the passing of the Reform Act of the choice of county representatives having been materially influenced by the sale of estates a few days before it took place, and by landlords attached to a particular family or party having been succeeded by those having different connexions or politics. If the admission of the occupiers of 50*l.* farms to the franchise in 1832 were meant to increase the already paramount influence of the landlords, or to balance the inroads that were then made upon it by other parts of the Reform Act, it was judiciously devised; but otherwise it has been an unmixed and most serious evil.

We have already noticed the mischievous influence of the enfranchisement of the tenantry over agriculture.—(See vol. i., p. 593.)

It is to be regretted that the qualifications for both county and borough electors under the Reform Act, but especially the former, are such as to admit of the easy multiplication of fictitious votes. This abuse has already been, in some places, carried to an enormous extent; and threatens, unless put an end to, to subvert every sound principle of representation.

Sect. 3.—*Administration of Justice in Scotland.*

Courts of Law.—The Court of Session, which was constituted by an Act of the Scottish parliament in 1537, is the highest civil court of Scotland, having jurisdiction in all civil questions of whatever nature. It was intended to supply the place of the previously existing courts, and more especially of a judicial committee of parliament called the "Lords of Session," whence the name of the court and the title of the judges. Originally it consisted of seven laymen and eight churchmen, including the president. In 1640, however, an Act was passed, which excluded churchmen from the court; and, though repealed in 1661, the principle laid down in it has ever since been acted upon. Other important improvements were introduced at different periods, particularly after the Revolution, when the right of appeal from the court to parliament was, for the first time, recognised. At the Union power was given to all individuals who considered themselves aggrieved by judgments of the Court of Session to appeal to the House of Lords; and it is a curious fact that, at this moment, and for a lengthened period, the principal judicial business of the House of Lords has consisted in hearing and deciding Scotch appeals. Originally, and down to 1808, the whole 15 judges sat together in one court; but in that year an Act was passed dividing the court into two chambers, the lord president presiding in the first division of seven judges, and the lord justice-clerk in the second of six, the two

remaining judges trying cases in the first instance, or, as it is technically termed, sitting as lords-ordinary. Since then the number of judges has been reduced to 13; four belonging to each of the divisions, and five acting as lords-ordinary, or sitting as single judges. The judges were at first chosen by the Scotch parliament; but since 1554 they have been appointed by the Crown. They are indifferently styled lords of session, or senators of the College of Justice. They must be 25 years of age; and, by the Treaty of Union, no person can be named to the office unless he have served as an advocate or principal clerk of session for five years, or as a writer to the signet for ten. The salaries of the puisne judges have recently been raised to 3000*l.* a-year each; those of the lord justice-clerk and lord president being respectively 4500*l.* and 4800*l.*

At its outset the Court of Session was intended to serve as a standing or perpetual jury for the trial of cases; the introduction of petty juries into the trial of civil cases in Scotland being only of very recent date, as well as of limited application. It was unknown till 1815, when a special or jury court was instituted for the trial of cases involving questions of fact. But in 1830 this court was suppressed, and its powers transferred to the Court of Session, which now avails itself of the assistance of petty juries in the trial of the above description of cases.

The Court of Session holds in Edinburgh two terms, or, as they are called, sessions, annually; the winter session lasting from the 1st of November to the 20th of March, with a Christmas recess of three weeks; and the summer session from the 20th of May to the 20th of July, without recess. The Privy Council has power to lengthen the sessions, if necessary; and jury trials, when they cannot take place during session, take place at sittings in Edinburgh before or after session, or on circuit at the different towns where the criminal circuit courts are held. During session the court sits five days a-week, there being no sittings on Monday, except occasionally for jury trials.

The barristers who practise before this court form a body called the faculty of advocates, of which their elective president is styled the dean. The only precedence belonging to counsel in the Court of Session, besides that of seniority, belongs to the dean and to the two Crown counsel, the lord advocate and solicitor-general. The number of the faculty is at present about 460. Of these, only about 200 reside in Edinburgh; and not above half that number can be considered as really practising barristers. The attorneys or solicitors before the court, usually called agents, consist of the Society of Writers to his Majesty's Signet (a highly privileged body), the solicitors before the supreme courts, and the advocates' first clerks, the last being the earliest, and, till about the beginning of last century, the only authorised agents. Both among the counsel and solicitors certain members are appointed by the court to conduct *gratis* the causes of individuals who exhibit certificates of poverty, and show that they have just cause of action; and on such causes no fees of court are charged.

The judges, counsel, and agents, with the officers of court, form the body called the College of Justice, which, besides exemption from some local taxes (to which, probably, it will soon be subjected), enjoys

also the privilege of having all suits, at the instance of its members or against them, tried before the Court of Session.

The Court of Session judges both in law and equity, being at once the High Court of Chancery and the Great Common Law Court of the kingdom; and recognises no division of suits into actions at law or in equity, nor any distinction of forms as applicable to these. Its jurisdiction extends over all Scotland, and is twofold—original jurisdiction and jurisdiction of appeal. Its original jurisdiction is in most matters shared by the inferior courts; but in some actions it is exclusive. Such are, actions for having the subsistence of a right of property, or inferior right in heritage, declared by a sentence of court; all other competitions of hereditary right; actions of reduction (*i. e.*, for cancelling deeds, contracts, decrees, &c.); judicial sales of the property of minors or bankrupts, &c. Its jurisdiction on appeal extends, with few exceptions, to all judgments of inferior courts. In a few matters the court possesses only an appellate, and no original, jurisdiction; such are suits where the demand does not exceed 25*l.*, which must be brought, in the first instance, before an inferior court. Since the abolition of the Admiralty Court in 1830 it has likewise original jurisdiction, along with the sheriffs, in admiralty causes; and the power of reviewing sentences pronounced by the sheriffs as inferior admiralty judges. The Commissary (Consistorial) Court having been abolished at the same time, most consistorial cases may be decided either in the Court of Session or the Sheriff Courts, the supreme court having the power of review; and in some consistorial actions (as actions of divorce, bastardy, or for having the existence of a marriage judicially declared, &c.) the jurisdiction of the Court of Session is exclusive. The circumstance, too, that the jurisdiction of every inferior judge is confined to his own territory often makes the jurisdiction of the Court of Session exclusive in those descriptions of causes. Instances of this occur where the defendants reside in different counties; or where a defendant does not reside in any part of Scotland, but is subjected to the jurisdiction of the Scotch courts, by possessing property in the country.

The inferior courts of law are the courts of the boroughs, justices of peace, and sheriffs. The first are familiarly termed "Baillie Courts," from the title of the magistrate, resembling the English alderman, who presides in them, with occasionally the assistance of a legal assessor. Their civil jurisdiction within the borough is, in some cases, equivalent to that of the sheriff in the county; but the number and value of the causes brought before them vary, being chiefly determined by the reputation of the assessor, and the amount of their business is in all cases limited. As criminal judges, the magistrates possess the powers necessary for maintaining the police of the borough. Their jurisdiction extends to no offence more serious than petty riots; and the punishments they can inflict do not exceed fine, imprisonment, or banishment from their territory. Another borough magistrate, the dean of guild, or head of the Merchant Company, anciently possessed jurisdiction in mercantile causes; but this is now lost, and his functions are restricted to the superintendence of the markets, the removal of such nuisances as ruinous buildings, &c. The magistrates of

boroughs not royal have also jurisdiction, the extent of which depends on their charters, but it is in all cases trifling.

The powers of *justices of the peace* are properly only those which are necessary for the maintenance of public order. They can singly commit criminals, and hold petty sessions (where two are a quorum), and quarter sessions. Their powers are still considerable in the regulation of highways, bridges, and fences, and they have also power to convict under the game laws, and in some revenue cases; but without, in any instance, possessing the power of transportation: they decide in questions between masters and servants, &c. Special statute has conferred on them one very useful branch of jurisdiction, purely civil; viz., the holding of small debt courts, for deciding actions for debt where the demand does not exceed 5*l.* besides costs. In such causes their decision is subject to no appeal or challenge, except on the ground of malice or oppression; and their procedure is of the same summary nature with that in the courts lately instituted under the sheriffs for the same sort of causes: the latter have already taken away great part of the business which used formerly to come before the justice of peace small-debt courts.

Scotch sheriffs are paid legal functionaries, who, besides various executive duties resembling those of the English sheriffs, are also judges possessing within their counties a jurisdiction which, though confined in criminal matters, is in civil causes extremely extensive.

Each county of Scotland has one principal sheriff, called, (but improperly, sheriff-depute. He is named by the Crown, must be an advocate [barrister] of at least three years' standing at the time of his appointment, and cannot act as counsel in any cause which comes from the county of which he is sheriff. He holds his office during life or good behaviour; and receives a salary, varying from 300*l.* to 800*l.* a-year, according to the supposed onerousness of his duties. In the counties of Edinburgh and Lanark, personal residence is required: In the other shires the sheriff was bound, till 1838, by the letter of the law to reside within his sheriffdom at least four months every year; but the regulation was not enforced, and is now repealed. Sheriff-deputes are now, in fact, with the above exceptions, required to be lawyers attending the courts in Edinburgh, and the ordinary business of the county is devolved on the sheriff-substitutes, or deputies of the principals. In extensive counties there are usually several sheriff-substitutes. This very useful class of judges must be chosen from advocates, writers to the signet, solicitors of the supreme courts, or solicitors of three years' standing before a sheriff court; and, though nominated by the sheriff-depute, they cannot be displaced without the concurrence of the lord president and lord justice-clerk. At present their salaries, which were raised in 1840, vary from 300*l.* to 550*l.* a-year, exclusive of fees. The substitutes reside constantly in the county, and perform most part of the business of the office, both in and out of court; the principal sheriff exercising merely a power of superintendence and review, and usually visiting the county only when special matters require his attendance, or for the purpose of holding statutory, registration, and small debt, commonly called *Victoria* Courts. The duties of counsel and attorneys before the

sheriff courts are performed by agents, called writers or solicitors, which correspond with English procurators. They are not admitted by the Court of Session, but by the different sheriff courts throughout the kingdom, on varying qualifications; and are only permitted to practise before the particular court to which they are admitted. It would tend much to the uniformity of the law were they all (like the advocates, who form the proper *bar* of Scotland,) admitted by the Court of Session on some general qualification, and authorised to practise in every court of the kingdom.

The ministerial or executive duties of the sheriff are multifarious. He executes writs issuing from the Exchequer, and in general attends to the interests of the Crown in his sheriffdom: he returns the juries both for civil and criminal trials: is the returning officer at elections for the county and boroughs; and, under the Scotch Reform Act, decides on claims for enrolment in the list of voters. He has to attend to the preservation of order in the county; and the apprehension and committal of criminals are chiefly devolved on him. Until a comparatively late period, the sheriff exercised a criminal jurisdiction, extending in some cases to capital punishment; but his powers, in this respect, are now greatly abridged. He still occasionally tries criminal cases with a jury, but the sentence may be appealed from to the court of justiciary. No sentence, except for petty offences, involving fine, imprisonment, or, at most, banishment from the county or borough, can be pronounced by any legal authority in Scotland without a jury; nor can any person be now imprisoned for any debt under 8*l.* 6*s.* 8*d.*

The lowest branch of the civil jurisdiction of the sheriff is exercised in the small-debt courts, which were instituted in 1825 for the decision of questions of debt not exceeding 5*l.* besides costs. In 1837 the jurisdiction of these courts was extended to sums of 8*l.* 6*s.* 8*d.*; and besides the small-debt courts at the head town of the shire, the sheriff now holds frequent small-debt circuit-courts in every district of his sheriffdom. In these cases, unless on cause shown to the satisfaction of the judge, no counsel or solicitor is allowed to attend, nor any pleadings or evidence to be taken down in writing: the parties appear by themselves, or unprofessional friends, and are heard personally, and may be examined on oath: the costs do not exceed 2*s.* or 3*s.*, and the decision is subject to no appeal.

In the sheriff's ordinary court of record, his civil jurisdiction is not limited by the amount of the interest at stake. It extends to all personal actions, on bond or other obligation; and to those actions relating to real property, where the possession only, is in question; such as actions by landlords to have tenants removed, or by tenants or other lawful possessors against any one who has violently turned them out of possession. The sheriff, also, may decide, in the first instance, on all admiralty and on some consistorial actions; and his jurisdiction was, in 1838, extended to questions of nuisance and servitude. Since 1836, the sheriff has also a concurrent jurisdiction with the Court of Session, in the process of *cessio bonorum*—an action by which an insolvent debtor, on making over his entire property for behoof of his creditors, is relieved from personal arrest for the debts specified in his

process. It was formerly necessary that he should be 30 days in prison; but he may now apply as soon as a writ is taken out against him. The sheriff is now, also, empowered to stay execution on judgments for less than 25*l.*, which, previously to 1838, could be staid only by the Court of Session; and he can recal arrestments of funds laid on by his own warrants.

The pleadings in actions in the sheriff's ordinary court are mostly in writing; and his judgments may be brought under the review of the Court of Session, and of the judges on the circuits.

When juries are used in the trial of civil cases, their verdicts cannot be appealed from to the House of Lords; but application may be made to the "Inner" House or chamber of the court to which the case belongs, for a new trial, on the ground of misdirection by the judge, of illegal conduct by the jury, or of the verdict being contrary to evidence. The decision of the court, granting or refusing a new trial, cannot be appealed from; but if the verdict have left any questions of law for the decision of the court, their judgment on these may be reviewed. A party may, however, open his way to the House of Lords, by presenting, during the trial, a bill of exceptions to some part of the conduct of the presiding judge, either objecting to his law as laid down in his charge to the jury, or in his admission or rejection of evidence, or the like; and the decision of the Court of Session on the bill of exceptions may be appealed from. A new trial is seldom granted except under the condition that the party claiming it pay the expenses of the first. Juries in civil cases in Scotland, consist, as in England, of 12 jurors, and their verdicts must, like the English, be unanimous. In criminal cases, when it is most advantageous, unanimity is not necessary. (See *post.*)

Besides a civil jurisdiction, the judges of the Court of Session sit under a separate commission, as the Teind (Tithe) Court, which was remodelled at the Union, the lords of session being then made perpetual commissioners, and their judgments subjected to the review of the House of Lords as in other cases. The parish clergy of Scotland receive fixed stipends or salaries; consisting, in most cases, partly of money and partly of corn (victual) convertible into money at the prices of the day. These salaries are derived from the teinds or tithes set apart for the support of the clergy under an arrangement carried into effect by an Act of the Scottish Parliament passed in 1633. The clergy are not, however, entitled, as matter of right, to claim payment of the full teind or tithe of their respective parishes, unless the Teind Court should think it required for their maintenance, and authorise them to demand it. If the Court think that some portion of the tithe will suffice for this purpose, the clergy receive such portion only. When it is said in Scotland that the teinds or tithes of a parish are "exhausted," it is meant that the clergyman receives their entire amount, and that, consequently, he has no further claim of any kind upon his parish. This is now the case in a great many parishes in Scotland; and under the provisions of a late Act government advances a sum of about 10,000*l.* a-year to make up the stipends in such parishes to 150*l.* a-year, exclusive of glebes and houses, (see *post*). The business of the Teind Court is to settle all questions regarding stipends, to

disjoin or unite parishes, change the situation of churches, &c. It has power to augment the stipend of parishes, in which the teinds are not exhausted, once in twenty years, on the suit of the clergyman. For these augmentations, and some other business, the thirteen judges sit every second Wednesday during session; but the more laborious parts of their duties are devolved, like all other drudgery, on the junior judge, who takes up such questions for the purpose of preparation every Saturday.

In no civil court of Scotland is it possible by any device to procure, before or during process, arrest of the person of the defendant; unless in the solitary case where a creditor makes oath that his debtor is in *meditatione fugæ*, or intends to abscond from the kingdom. But it is usually possible, without personal arrest, to compel a defendant to find bail for satisfying all the demands of the suit. In Admiralty cases, as it is supposed the parties may often be foreigners, security may be applied for directly, if the case be in the Court of Session; and in other actions it may generally be obtained indirectly, through what is called arrestment, which is a legal process executed against the debtors of a defendant, prohibiting them from making payment. This prohibition may be kept up till the determination of the case, unless the defendant enter satisfactory bail.

The *Court of Justiciary*, the supreme criminal court of Scotland, which was brought nearly into its present form in 1672, consists of five judges, who are also judges of the Court of Session, specially commissioned by the sovereign, together with the justice-general and justice-clerk; the former, or, in his absence, the latter, being president. In 1836, the office of lord-justice-general (which had previously been a sinecure held by a nobleman) was conjoined with that of lord-president of the court of session, and under the latter the acting head of the court is the lord-justice-general. The court holds sittings in Edinburgh during the vacation or recess of the Court of Session, and occasionally on Mondays during the terms of that court. And twice a year, in the spring and autumn vacations, the judges hold circuits in the chief provincial towns; two going each circuit. An additional circuit is now held in Glasgow, during the Christmas recess; and the Privy Council may appoint more should they think fit.

In Scotland criminal prosecutions do not proceed at the instance of the party injured, but at that of a public officer, and at the public expense; the private party having it in his power to prosecute in his own name, even after the public prosecutor has refused, if he choose to do so at the risk of being found liable in damages and costs. The public prosecutor is the Lord Advocate, or first Crown counsel, who being frequently absent in Parliament, has many of his peculiar duties performed by the second Crown counsel, or solicitor-general, and by the advocates depute, on whom, indeed, most part of the criminal business devolves, especially that of attendance at circuits. Every county and borough has a procurator-fiscal, or officer whose duty it is to attend to the apprehension and examination of criminals. On receiving an information subscribed by the party injured, he procures a warrant from a magistrate for committing the accused person for examination. This usually takes place before the sheriff-substitute,

who examines witnesses without oath, and allows the prisoner, if he please, to make a declaration, which, being properly attested, may be founded on at trial as evidence against him. The committal for examination cannot last more than a few days, without subjecting the magistrate to a suit for damages; and the procurator-fiscal acts under a like responsibility, which, however, does not extend to the counsel for the Crown. If no case be made out on examination, the prisoner is dismissed: otherwise, the sheriff commits him for trial, and transmits the evidence to the Crown counsel. This committal is, likewise, made under a liability in damages, if it have been improperly ordered.

As soon as a prisoner is committed for trial, he may protect himself from undue delay of trial by the remedy called "*running his letters;*" a process in force since 1701, and analogous to the Habeas Corpus Act. The prisoner presents an application to any judge competent to his trial, who must, within twenty-four hours, give an order on the public prosecutor to bring on the trial within sixty days, with intimation that at the end of that time the prisoner will be discharged. When the crime is serious, and the time of circuit distant, this application often compels the Crown counsel to bring the prisoner and witnesses to Edinburgh. If, at the end of the sixty days, no criminal indictment be executed on the prisoner, he is set at liberty; but he may be again imprisoned, on a warrant from the Court of Justiciary. In this case, if the trial be not concluded within forty days after the second apprehension, the prisoner must be set at liberty, under heavy penalties on those detaining him; and is declared for ever free of the charges against him.

The magistrate must, on application, grant or refuse bail, and fix its amount within statutory limits. All offences are bailable, except capital crimes, and those post-office offences which used to be capital.

The Crown counsel, on examining the declarations of the witnesses, may immediately order the prisoner to be liberated, or fix his trial, either before the Justiciary or Circuit Courts, or, if the crime admit of it, before the sheriff. In the course of last century we find the latter exercising a criminal jurisdiction, which extended, in some cases, to life and death; but his powers, though not strictly defined, are now greatly limited. It is quite certain, that without a jury the sheriff cannot lawfully pronounce any sentence exceeding fine, imprisonment, or banishment from the county; and no trials take place before sheriffs without a jury, excepting for petty offences against the public peace. In trials before the principal sheriff and a jury, the procurator-fiscal of the shire acts as prosecutor; and the sentence may be appealed from to the Court of Justiciary, whose decision is final.

In Scotland there is no coroner; and no grand jury, except in cases of high treason, which are tried in the English form, before the Court of Justiciary, or a commission of Oyer and Terminer, of which three members must be Justiciary judges.

In ordinary causes, the indictment must be delivered to the prisoner at least fifteen days before trial. It must be drawn specifically and accurately, slight technical errors being sufficient to vitiate it; and it must have annexed to it a list of the witnesses and of the jurymen who are to be summoned, and a list of the articles to be exhibited

as evidence for the prosecution, which, if demanded, must be also shown to the prisoner before trial.

The day of trial being arrived, either in the High Court of Justiciary or Circuit Court, the jury are taken from a list of, at least, forty-five, returned by the sheriff, of whom two-thirds are common, and one-third special, jurors. The jury is ballotted for, so that one third may be special, and two-thirds common, jurors; though, if the accused be a landed proprietor, he is entitled to have a majority of special jurors. Besides challenges on cause assigned, the prosecutor and prisoner may each challenge peremptorily five jurors, but only two special jurors. The number of the jury is fifteen. If a prisoner do not appear, he cannot be convicted of the crime charged, but merely have sentence of outlawry pronounced against him; from which he may afterwards be relieved on surrendering himself for trial.

The first step is to read the indictment, and to determine on its relevancy, *i. e.* whether the facts alleged be sufficient, if proved, to constitute the crime charged. This is the stage for bringing forward all objections to the indictment, which would not be received after the court has formally declared it to be good. A prisoner has always counsel: if he be too poor to hire one, the court will order a barrister to act for him; but this is never necessary: the number of junior counsel willing to act gratuitously is always greater than that of the trials; and, in Edinburgh, at all times, and on the circuits, when important civil jury trials are to come on, it is not unusual to see the senior counsel conducting, without remuneration, the defence in difficult criminal causes.

The witnesses do not hear each other examined; and if the prosecutor be shown to have communicated with them after they were formally cited to appear in court, the prisoner may successfully object to their being examined. The prosecutor, too, must close his evidence before the evidence in exculpation begins. The Scotch rules of evidence give the prisoner an advantage, which, in England, he enjoys only in cases of high treason: he can be convicted only on the testimony of two witnesses, or of one witness supported by circumstantial evidence so strong as to equal that of a second witness. The evidence for both parties being finished, counsel on both sides address the jury, the prisoner having the last word; after which the judge charges the jury.

The verdict need not be unanimous: the narrowest majority is sufficient to convict as well as to acquit. But this practice, though popular in Scotland, is, we think, a serious defect; for there seems to be no other means than compelling the jurors to be unanimous for procuring that attention to and discussion of the subject that is so essential. A verdict of Not Guilty indicates a belief by the jury in the prisoner's innocence: a verdict of Not Proven indicates suspicion, but a want of proof of guilt. Either verdict is conclusive: it is not possible again to imprison or try the prisoner for that crime. In capital cases, the Crown counsel have power, before moving for sentence, to restrict the libel, a form which disables the judge from pronouncing a capital sentence. After sentence has been pronounced, the criminal may, as in England, appeal to the mercy of the Crown; and to allow time for this appeal,

it is provided that no capital sentence shall be executed sooner than fifteen days after sentence, if south, or sooner than twenty, if north of the Tay. Till lately the time was longer. There is no appeal from a judgment of the justiciary court to the House of Lords.

It is not going too far to say, that, down to a very recent period the Court of Justiciary was, in as far as respects political cases, one of the most corrupt and worthless tribunals in Europe. Owing to the vicious mode in which juries were formerly selected, (see *ante*, p. 171,) it was always in the power of the Lord Advocate, or public prosecutor, to get a jury appointed favourable to his own views; and the judges having been appointed by the Crown, and looking to it, most probably, for farther advancement for themselves or their families, were, with few exceptions, its obsequious tools. Hence, in Scotland, to be prosecuted for a political offence was, for a lengthened period, nearly equivalent to being condemned. Luckily, however, this disgraceful state of things has been reformed. Juries in Scotland are now fairly selected; the accused has the same right of peremptory challenge as in England; so that, the judges, however disposed, can no longer pack juries and dictate verdicts.

But the judges of justiciary still possess, in virtue of what has been denominated the *native vigour* of the court, the despotical power of declaring new crimes, and of imposing discretionary punishments upon those by whom they are committed. How improbable, soever, the statement may appear, there is really no act, in the whole range of human conduct, which the Court of Justiciary may not, at pleasure, brand as a crime, by sustaining the relevancy of an *indictment* or charge, at the instance of the public prosecutor, for its commission; and upon conviction the court may inflict such punishment as it thinks proper upon the criminal. We doubt, whether any tribunal with such tremendous powers exists in Russia, Turkey, or Japan. Unchecked by statute, or by appeal to any superior authority, the only palliation of its abuse is to be found in the prerogative of mercy! It may well excite astonishment that so monstrous an anomaly should have been so long tolerated in any country, and especially in one having such high pretensions to freedom and civilization. Perhaps it may be said, that we live in times when the most dangerous and extravagant judicial authority is little likely to be abused, and is, consequently, of little practical importance. But every body, in any degree acquainted with the history of Scotland, knows that the *native vigour* of the Court of Justiciary has been exerted over and over again, and been perverted to the basest purposes. And can any one presume to say, that in time to come, circumstances are never to arise to bring this irresponsible power, if it be not suppressed, once more into activity? The possibility of any such revival should be guarded against by its abolition. And we confidently anticipate, that at no distant period this will be effected; and that the highest criminal court in Scotland will be deprived of an authority which gives it an unconstitutional character; and which cannot be exerted without trampling on every principle of justice. If it require additional powers let them be granted by statute; but do not let them be assumed by time-serving judges, at the suggestion of the Crown or of the Lord Advocate.

CHAPTER VII. Constitution, Courts, &c., of Ireland.

Sect. 1.—*Sketch of the Political History of Ireland.*

The early accounts of Ireland are singularly disfigured by fable. It was not invaded by the Romans, whose knowledge of it could, therefore, be derived only from the reports of the Britons, or of natives of Ireland in Britain. The fair presumption, however, is, that its inhabitants were then more barbarous than even those of this island.* In the 5th century Christianity was introduced into Ireland by St. Patrick, a native of North Britain, who, in his youth, had been carried a captive into Ireland. Along with the gospel the British missionaries introduced the letters and learning of Rome; and a school founded at Armagh, not long after, acquired considerable distinction; but it would be as inconsequential to infer, from the fact of this and a few other schools existing in the country, that it was then distinguished by literature and civilization, as it would be to allege that such was the case with the Western Islands, and the adjacent parts of the mainland of Scotland, in the 8th century, because there was then a celebrated monastery and school in Iona.

The accounts of the political state of Ireland, previously to the English invasion, are obscure and contradictory. This much, however, may be gleaned from them, that the island was parcelled out into a number of semi-independent states or clanships, which sometimes did, and sometimes did not, acknowledge their dependance on a chief prince or king of all Ireland. Incessant hostilities were waged by the petty sovereigns against each other, which were not even interrupted by the invasion of the Danes in the 9th century. The latter, in no very long space, became masters of the greater part of the coasts of the island; and occupied the ports of Dublin, Wexford, Waterford, and Cork, when they were taken by the English.

The successors to the petty sovereigns, or to the chiefs of claus or septs, were called *tanists*, and were generally elected from the family or kindred of the reigning prince or chieftain during his lifetime. Females were excluded from the succession, and minors were never chosen as tanists; the object being to have a prince of mature years always at the head of the seigniory or clan, who might be able to direct their operations, and to defend them from hostile attacks. The laws of the Irish were such as might be expected to prevail among a rude and barbarous people; and were administered in the open air by hereditary judges, denominated *brehons*. The most atrocious crimes might be compounded for by the payment of an *eric*, or fine, rated in cattle, or some sort of produce; and, as in all cases a considerable portion, and in some cases the whole, of the fine went to the lord, or chief of the sept, his interest obviously led him to encourage rather than to repress crime! The laws with respect to the succession to

* Pomponius Mela, who has given so accurate an account of the soil of Ireland, and of the richness of its pastures, says, *Cultores ejus inconditi sunt, et omnium virtutum ignari, pietatis admodum expertes* (Lib. iii. sec. 6.) Strabo (lib. iv.) gives some extraordinary details respecting the Irish, which, however, he does not state of his own authority, but merely as having been reported to him.

fixed property were such as would have alone served to extinguish all industry. "Through the whole country," says Leland, "the tenure of lands determined with the life of the possessor; and, as the crimes or misfortunes of men frequently forced them from one tribe to another, property was eternally fluctuating, and new partitions of lands made almost daily. Hence the cultivation of lands was only in proportion to the immediate demands of nature, and the tributes to be paid to superiors." (*Hist. of Ireland.* Introduct. p. 34.)

A people with such institutions could not be otherwise than barbarous; and such, in fact, they were. Sir William Petty, who was well versed in the history and intimately acquainted with the condition of Ireland, declares that "at this day (1672) no monument nor real argument evinces that the Irish when first invaded, had any stone-housing at all, any money, any foreign trade, or any learning (but the legends of saints, psalters, missals, rituals, &c.), or geometry, astronomy, anatomy, architecture, enginery, painting, carving, or any kind of manufacture, or the least use of navigation or the art military." (*Political Anatomy*, p. 317). There cannot, in truth, be any doubt whatever (despite the fables and forgeries of their monkish annalists) that at the epoch of the English invasion the Irish were all but total strangers even to the rudiments of civilization, and were immersed in the lowest depths of barbarism. "Neither was it possible to reform the evil customs that prevailed among the Irish, without altering their government; nor could that be accomplished by any other means than by their being subjected to some more civilized foreign power."*

Soon after the English conquest effected by Henry II., in 1171, the island was divided by John into twelve counties. But, though the king of England received the submission of the Irish chieftains, and was nominally lord of Ireland, his authority was, for a lengthened period, only partially recognized. The native families of O'Conor, O'Neil, O'Melaghlin, Byrne, and O'Toole, still asserted, and to a certain degree exercised, sovereign authority in Connaught, Ulster, and part of the midland districts. Even in Leinster and Munster, where the English were principally settled, and which had partially adopted the laws and constitution of England, the sovereign authority was far from being generally or firmly established. The allegiance of several of the great feudal barons, who held extensive tracts of land, was frequently little better than nominal. The English families of De Burgh in the West, of Desmond in the South, and of Butler in the central parts, adopted the manners of the natives, and often became the declared and most dangerous enemies of their mother country. At one time there were nine counties palatine, with independent jurisdiction, in the part of the island subject to England, and distinguished by the name of the *pale*. The miseries resulting from the interminable disorders inseparable from such a state of things, were increased in 1315 by an

* *Lyttelton's Henry II.*, v. 56; where the reader will find an excellent account of the state of Ireland previously to the English invasion. See also the excellent work of Dr. Ledwich on the *Antiquities of Ireland*, 4to. 2nd ed., Dublin, 1804, *passim*; Moryson in his *Itinerary*, part iii. pp. 156–164, &c., ed. 1617, gives various statements strikingly illustrative of the barbarism of the Irish. See also *Spenser's State of Ireland, Davis's Tracts*, &c.

invasion of the Scotch, under Edward, brother of Robert Bruce. He overran the greater part of the country, but was finally defeated and killed near Dundalk. The resources of the country were also wasted in subsidies, and its youth carried away to fight the battles of their masters on the continent, or in England, during the wars between the houses of York and Lancaster. After the death of Richard III., and the accession of Henry VII. had terminated this sanguinary struggle, Ireland was chosen by the defeated party of Yorkists as a theatre on which to commence a system of operations for the dethronement of the new monarch. In consequence, Lambert Simnel was sent thither by the Duchess of Burgundy as the descendant and representative of Edward IV. His title was acknowledged by the Anglo-Irish, and he was crowned in Dublin with all the ceremonies attendant on the inauguration of the ancient Irish sovereigns. A similar, though less vigorous effort was afterwards made in favour of Perkin Warbeck, whose title was also acknowledged in the south of Ireland.

Early in the reign of Henry VIII. the spirit of insurrection broke out in a formidable shape. The chief authority had previously been exercised for a lengthened period by the rival families of the Fitzgeralds and Butlers, whose heads were the Earls of Kildare and Ormond. The former of these noblemen was at this period lord-lieutenant. On being summoned to England, to answer charges brought against his government, he appointed his son, Lord Thomas Fitzgerald, his deputy. The latter, on a false rumour of his father's execution in London, threw up the reins of government, declared himself an open enemy to the English monarch, ravaged the pale, and laid siege to Dublin. But being repulsed in this attempt, and having soon after surrendered to Lord Grey, the new lord-lieutenant, he was sent prisoner to England, where he expiated his offences on the scaffold, along with several of his near relatives, who, though unconnected with his acts, were unjustly implicated in their consequences.

The introduction of the Reformed doctrines, which was effected with equal violence and contempt for the prejudices of those within and without the pale, brought a new element of discord into Ireland. The native Irish, and many descendants of the English settlers, were devoted adherents of the church of Rome. Their hostility to the new doctrines did not, however, display itself openly during the reign of Henry, who, about this time, changed his title of lord for that of king of Ireland, nor in the reign of his immediate successor, Edward VI.; but it broke out with unrestrained fury in that of Elizabeth, by whom the new church was fully established. O'Neil, who possessed nearly the whole of Ulster, instigated by the court of Spain, hoisted the standard of rebellion. He was supported by a Spanish armament, which took possession of Kinsale, without, however, being able to maintain itself in that position. After a lengthened contest O'Neil was forced, by the energetic and prudent measures of Lord Mountjoy, to make an unconditional submission; and his subsequent flight from Ireland terminated the war. Ulster was soon after divided into counties, and planted with numerous bodies of English and Scotch settlers; and hence the improvement of that province, and its

distinctive character. The reign of James I., and the earlier part of that of Charles I., formed a period of undisturbed tranquillity. But the disputes between the latter and the English parliament afforded the Irish a flattering though fallacious prospect of recovering their independence and confiscated estates, and of re-establishing their religion. To effect these objects, an insurrection was secretly organised, on a very extensive scale, embracing, not only the native Irish, but many Roman Catholic families of English descent. This conspiracy, the outbreak of which was to be signalized by a general massacre of the Protestants, took effect in 1641. The treachery of one of the conspirators prevented Dublin from falling into their hands: the insurrection broke out simultaneously in Ulster, and soon after spread into most other parts of the country. The most horrible excesses were committed by the insurgents, which were sometimes fearfully retaliated: and the country continued to be a prey to all the horrors of civil war till 1649, when Cromwell appeared in the field, at the head of a well-disciplined and powerful army. Having taken Drogheda by storm, he delivered it up to military execution; and such was the terror inspired by the fate of this city, that almost all the strongholds of the Catholics soon after fell into his hands; their estates were confiscated, and the English supremacy was, for the first time, fully established in every part of Ireland.

After this tremendous visitation Ireland continued tranquil, and began to advance considerably in prosperity, till the events connected with the Revolution of 1688 made it the theatre of fresh and sanguinary contests. After the flight of James II. from England, he landed, with a view to retrieve his fortunes, in Ireland, where he was received with open arms by the Catholics; and having brought with him from France a number of experienced troops and officers, partly Irish and partly French, he soon found himself at the head of a powerful army. Luckily, however, he was entirely destitute of the talents necessary to ensure success in such an enterprise. The battle of the Boyne, on the 1st of July, 1690, gained by William III., turned the tide completely in favour of the latter; and the battle of Aughrim, on the 12th of July, 1691, when the British under Ginkell, afterwards earl of Athlone, obtained a decisive victory over the troops of James II., commanded by St. Ruth, who fell in the action, was the last great effort made by the Irish to achieve their independence. The remains of the Irish forces, having retreated to Limerick, capitulated under conditions embodied in the famous convention called the treaty of Limerick, 3rd October, 1691. The first of these was as follows:—"The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion, as are consistent with the laws of Ireland; or as they did enjoy in the reign of King Charles II. And their Majesties, as soon as their affairs will permit them to summon a parliament in this kingdom, will endeavour to procure the said Roman Catholics such further security in that particular, as may preserve them from any disturbance on account of their said religion."

But, though William III. was no willing party to its violation, this treaty was not long in being broken. This flagrant breach of faith, from the disastrous influence of which England, as well as Ireland, is still suffering, is entirely to be ascribed to the intolerance of the Eng-

lish and Irish Protestants, who, flushed with victory, did not hesitate, despite the stipulations to the contrary in the treaty, to trample the Catholics under foot, and as far as possible to exterminate their religion. "By the total reduction," says Mr. Burke, "of the kingdom of Ireland, in 1691, the ruin of the native Irish, and in a great measure, too, of the first races of the English, was completely accomplished. The new interest was settled with as solid a stability as anything in human affairs can look for. All the penal laws of that unparalleled code of oppression, which were made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effects of their fears, but of their security. They who carried on this system looked to the irresistible force of Great Britain for their support in their acts of power." (*Letter to Sir H. Langrishe*, p. 44.)

The violation of the treaty of Limerick being accompanied by extensive confiscations, and followed up by the enactment of the penal code, completed the prostration of Ireland. Hence, by a singular contradiction, the same revolution that established freedom of conscience and a liberal system of government in England and Scotland, established an odious despotism and persecution in Ireland. In the words of Mr. Burke, "it established, in defiance of the principles of *our* revolution, the power of the smaller number, at the expense of the religious liberties of the far greater, and at the expense of the civil liberties of the whole."

During the century towards the close of which the treaty of Limerick was concluded, most part of the landed property of Ireland changed masters. In the reign of James I. more than 500,000 Irish acres escheated to the Crown through the rebellion and flight of the earls of Tyrone and Tyrconnell. The extent of the forfeitures under Cromwell has not been exactly ascertained; but they were quite immense, and probably included from 6,000,000 to 6,500,000 Irish acres. The forfeitures arising out of the revolutionary struggle, though of much less importance, are believed to have amounted to about 1,000,000 Irish acres. Hence, as the area of Ireland may be roughly estimated at 12,000,000 Irish acres, it follows that nearly two-thirds of the entire island had been confiscated; some of it twice or three times in the course of a century! Lord Clare, indeed, in his famous speech on the Union, represents the whole country as having been confiscated, with the exception of the estates of five or six families of Irish blood; but there can be no doubt that this statement is much exaggerated. (*Hallam's Const. History*, iii. p. 528.)

The violation of that article of the treaty of Limerick, referred to above, which guaranteed to the Catholics the religious privileges they had enjoyed during the reign of Charles II., was immediately felt. The ardent spirits who survived the wreck of their cause, shut out from all hope of distinguishing themselves at home, withdrew to France to await some favourable chance of recovering their lost fortunes; and the original stimulus thus given to emigration was perpetuated by the penal laws, which drove the *élite* of the Catholic body to seek an asylum in a foreign land from the grinding

persecution they suffered in their own. It has been stated, on the authority of records in the military offices at Paris, that, between 1691 and 1745, no fewer than 450,000 Irishmen died in the service of France.* The Catholic clergy, hunted down like animals *ferœ naturæ*, were driven out after the others, with the exception of those who (like the Cameronians in Scotland) clung to their creed and their congregations through all extremities; and continued, in spite of the combined efforts of fanatical and political persecution, to hold their religious assemblages in uninhabited houses in towns, and in caves, glens, and morasses in the country.

The English gentry, who had acquired possession of the forfeited estates, speedily found themselves involved in difficulties. Their possessions, though ample, were occupied by a tenantry by whom they were regarded as usurpers, and whom they despised for their religion, their ignorance, and their barbarism. In this state of things, and being, as formerly stated, almost universally absentees, they were compelled to employ middlemen; and, except in the north, and in those parts of the country where they were able to substitute pasturage for tillage, the occupiers of their estates were, for the most part, lazy, bigoted, and impoverished.

The history of Ireland, from the treaty of Limerick down to 1768, is almost wholly confined to the unavailing efforts made to extirpate the Catholic religion by penal laws, and to the petty struggles of the newly-formed Protestant aristocracy to assert a position of independence in their parliamentary connexion with Great Britain. The principal provisions of the penal laws may be summed up with sufficient accuracy for our purpose in a very few words. By a succession of Acts passed during the reigns of Anne, George I., and George II., Popish fathers were prohibited from being guardians to their own children conforming, however young, to the Protestant religion. No Protestant could marry a Papist having an estate in Ireland. Papists could not purchase lands, nor hold them by lease for a term longer than thirty-one years; and if such lease produced a profit greater than one-third part of the rent, the right in it ceased, and passed over to the Protestant who discovered such increased profit. The estate of a Papist was to be gavelled (divided) after his death among his children; and, in failure of children, among his collateral kindred. Papists were excluded from residence in Galway and Limerick. Voters at elections were obliged to take the oaths of allegiance, abjuration, and supremacy. No Papist could take an annuity for life. No Papist was allowed to keep a school, or to teach any one in a private house except the children of the family. Popish priests, on conforming, were to receive a stipend of 30*l.* per annum, until better provided for in the Protestant church. The following rewards were offered for discovering Popish clergymen and schoolmasters:—For an archbishop, bishop, or vicar-general, 50*l.*; for a regular or secular priest not registered, 20*l.*; for a schoolmaster, 10*l.* Protestants were authorised to proceed in chancery to compel discovery against any person suspected of being concerned in any sale, lease, mortgage, or incumbrance in trust for a Papist; all issues under

* *M'Geoghegan, Histoire d'Irlande*, tom. iii. p. 754. See also *Newenham on the Population of Ireland*, p. 60.

such proceedings to be tried by none but known Protestants. No Papist was to take more than two apprentices, except in the linen trade. Papists were prohibited from being on grand juries, and from having arms. In trials on any statute for strengthening the Protestant interest, the plaintiff might challenge a Papist, which challenge the judge must allow. Papists were to find Protestant substitutes for the militia, and to pay double. They were prohibited from being high or petty constables. Barristers and solicitors marrying Papists were to be subject to all the penalties on Papists; marriages between Protestants and Papists, or those celebrated by Popish priests, were annulled. Popish priests celebrating marriages between Protestants and Catholics were to be punished capitally.

Such are the principal provisions of the anti-Catholic penal code, one of the most atrocious systems of persecution and tyranny ever established in any country. In his letter to Sir Hercules Langrishe, Mr. Burke says, "The laws made in this kingdom (Ireland) against Papists were as bloody as any of those that had been enacted by the Popish princes and states; and when these laws were not bloody they were worse; they were slow, cruel, outrageous in their nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. * * * You abhorred this code, as I did, for its vicious perfection. For I must do it justice. It was a complete system, full of coherence and consistency; well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance; and as well fitted for the oppression, impoverishment, and degradation of the people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."

The spirit in which this code was acted upon may be inferred from the circumstance that, in 1708, on the mere rumour of an intended invasion of Scotland by the Pretender, forty-one Roman Catholic noblemen and gentlemen were imprisoned in Dublin Castle. About the same period the House of Commons denounced the custom, continued from a very remote period, of infirm people making an annual pilgrimage to St. John's Well, in the county of Meath, as dangerous to her Majesty's government. This vote was followed by others, declaring that those who did not give information of their knowledge of the saying and hearing of mass, under circumstances contrary to law, were enemies to the queen, and that the *prosecuting and informing against Papists was an honourable service to the government!* In 1733 the plan of establishing schools for the reception of children of the poorer classes, especially Catholics, in the view of educating them in the Protestant faith, was set on foot as an infallible means for the speedy extirpation of the Catholic religion. This device, however, though more ingenious and better fitted to attain its end, was as unsuccessful as the others. It may be worth while to mention that the schools in question, since known by the name of charter schools, have only lately ceased to be objects of public patronage and support. Several enumerations of the population were also made at different times in the view of ascertaining the proportion between the two great divisions of the nation.

While the dominant party was thus engaged in attempts to exter-

minate the Catholic religion, its efforts to maintain a position of legislative independence with respect to the English parliament were comparatively desultory and feeble. It succeeded, in 1724, being backed by the public voice, in preventing the introduction of a copper coinage, then much wanted, proposed by Mr. William Wood, who had procured a patent for the purpose. The affair assumed a character of national interest through the opposition of Swift; but the English government, having wisely yielded to the public feeling, and cancelled the patent, the irritation soon subsided A dispute, in 1747, about an election to the mayoralty of Dublin, and an Act of the English government by which it disposed of a small redundancy of the supplies contrary to the will of the Irish House of Commons, were almost the only political questions worth any notice that occurred during the reign of George II. The effects of the change from tillage to pasturage, which took place during this period, having begun to be felt, an Act was passed, in 1730, at the instigation of Primate Boulter, the great supporter of the British interest in his day, compelling all landholders to keep five acres, out of every hundred in their possession, in tillage. The Irish parliament also directed its attention to the promotion of public works, of which inland navigation was then deemed the most important, and the legislative provisions and parliamentary grants for its promotion gave rise to the canals now in existence. We have elsewhere noticed the suppression of the woollen manufacture (vol. i., p. 667) by the parliament of England, and the encouragement given to the Irish linen trade. The Irish parliament was mean enough not only to acquiesce in the arrangement, but to sanction it by special enactments. The linen manufacture took root only in the northern or Protestant districts of Ireland; and as the woollen had been long the staple of the south and west, its destruction most probably helped to promote the Catholic emigration, which at this period abstracted much of the national property and industry. In addition to the linen manufacture, that of silk was also introduced: being supported by the Irish Court, and aided by the invention of a new and beautiful fabric, in which woollen yarn was blended with silk, it had some small success; but it never made any considerable progress or became of any importance.

During the two invasions with which England was disturbed in the first half of the eighteenth century Ireland continued tranquil. It would be childish, and an insult to the Catholics, to suppose that they were really attached to a government which had reduced them to a state of helotism, and which treated them as its most dangerous enemies.* But they were without power, dispirited, and politically extinct. Hence the otherwise inexplicable fact that there is no evidence to warrant a suspicion that, in the rebellions of 1715 and 1745, any intercourse was maintained between the Irish Catholics and the partisans of the Pretender in Scotland. The great Lord Chesterfield, lord lieutenant of Ireland during the latter of these rebellions, so far from deeming any further restrictive measures neces-

* Mr. Plowden talks of the "stern loyalty" of the Irish Catholics of that day to the House of Hanover! (*Hist. of Ireland*, i. 75.) If the fact were so, it would do more than anything else to vindicate the policy of the penal laws.

sary against the Catholics, treated their leaders with kindness, and, in practice at least, relaxed the rigour of the penal laws. At a later period, on the apprehension of a French invasion in 1759, followed by the landing of a partisan force under Thurot at Carrickfergus, the Catholic Committee of Dublin, a body formed about two years before to procure a relaxation of the penal code, influenced partly, it may be presumed, by a feeling that they were about to be relieved of their more oppressive disabilities, and partly, no doubt, by a wish to recommend themselves, presented an address to the lord lieutenant declaratory of their allegiance and loyalty to the government; and at the same time several wealthy Catholics came forward with offers, if needed, of large sums for the public service.

Two circumstances, apparently trifling, but ultimately leading to important results, mark the close of the period extending from the Revolution down to 1768. Their details, however, belong more appropriately to the general view of the Irish constitution; so that it will be sufficient here merely to state the facts. The one was the permanent residence of the viceroy, who had hitherto visited the country but once every two years; the other was the change effected, in 1767, from parliaments terminating only on the demise of the Crown to those limited to eight years' duration. But though popular this act was of no real utility, and tended, in fact, rather to increase than to diminish the corruption of the parliament. An important change began, however, to take place about this period in the opinions of the Protestants, or Anglo-Irish party, who were disgusted by the assumption of supreme authority by the parliament of England, by the circumstance of most offices of power and emolument being conferred on Englishmen, and by the shackles imposed on the trade and industry of the country. The incipient spirit of agitation in the transatlantic colonies was another and a most active element in effecting the great changes of political feeling and action that mark the interval between 1768 and the Union. The progress of the change was accelerated by the rupture between Great Britain and her colonies. The warning given by Thurot's attempt might have opened the eyes of the English government to the facilities for invading Ireland. But in the struggle for the maintenance of long-established dominion by Great Britain, and of newly-proclaimed independence by America, Ireland was drained of its troops; and on an alarm of invasion from France, the answer by the viceroy to an application for military protection was, "that the government had none to give; and that the people must look to themselves for the means of defence." This hint was sufficient. The military spirit, engrafted in the Irish by centuries of internal commotion, found, in consequence, a legitimate vent. It was encouraged by government, who issued arms to a numerous corps of self-embodied volunteers, principally formed in Ulster; while, at the same time, it took care that the guidance of this formidable body should devolve upon individuals who, though of popular political sentiments, were bound to the existing order of things by the tie of large territorial possessions. The people, or rather the Protestants, becoming, in this way, aware of their power, immediately began to look for a release from the shackles which had paralysed their energies.

The restrictions on their trade, which were little less injurious to England than to Ireland, were the first objects of their attack; and they happily succeeded in effecting their abolition. Emboldened by their success in thus shaking off the fetters imposed on the industry of their country, the Irish party took the most vigorous measures for establishing its independence. In this view resolutions were agreed to by the volunteers at Dungannon in 1782, and by other public bodies, declaring Ireland to be "a free and independent kingdom, and that no power on earth, except that of the king, lords, and commons of Ireland, could legally enact laws to bind Irishmen." These declarations, which struck a direct blow at the superiority hitherto claimed and asserted by the British parliament, might, and most probably would, at another time, have been successfully resisted. But Great Britain, being then engaged in a desperate contest with her revolted colonies, and with almost all the great European powers, prudently made the concession demanded by the Irish volunteers; and the *independence of Ireland* was proclaimed amid the most enthusiastic demonstrations of popular rejoicing.

In truth and reality, however, this triumph was little more than apparent. The representative system of Ireland was in the last degree corrupt and vicious; and though it had been otherwise, she was not in a situation to have returned an independent House of Commons equal to the task of self-government. The leaders of the volunteers were alive to the defective state of the representation; and subsequently to the recognition of the independence of the kingdom, a convention of delegates from the various volunteer corps was held at Dublin in 1783, for the purpose of conveying to the legislature the call of the people for a reform of parliament. A bill, intended to effect that object, prepared by the delegates, having been introduced into the House of Commons by Mr. Flood, was rejected, after a very warm debate, by a large majority, on the justifiable ground of its having emanated from an armed body. The convention adjourned next day, and did not re-assemble. The spirit of volunteering henceforth declined. The restoration of peace rendered the services of the volunteers unnecessary; they were regarded by the government, and by many sincere friends of liberty, with extreme suspicion; and the irreconcilable differences of opinion that prevailed amongst them in regard to the treatment of the Catholics, produced a schism which facilitated the suppression of the volunteer system.

The formation of a committee to devise measures for the relaxation of the penal code has been already noticed; and after the experience of three quarters of a century had shown that that code was as inefficient for the purposes for which it was intended as it was oppressive and revolting, it began to be regarded in its true light by the more liberal and intelligent Protestants, and its more obnoxious and insulting provisions were consequently abolished. In 1774 an Act was passed authorizing his Majesty's subjects, of whatever persuasion, to testify their allegiance to him. By subsequent Acts Papists were allowed to hold lands on lease for 999 years, or for five lives; and on taking a prescribed oath of allegiance, they might purchase lands and dispose of them by will, or otherwise, at pleasure; ecclesiastics, on registering

their name and abode, were discharged from all penalties, a privilege which was, at the same time, extended to schoolmasters. But the principal relief was not given till 1793, when the laws subjecting Papists, or persons marrying Papists, or educating their children as such, to the disabilities already stated, were repealed; and when, also, Papists were admitted to the exercise of the elective franchise.

While the Catholics of the higher orders, under the guidance of their committee, were thus unrivetting link by link the shackles of the penal code, the lower classes were employing more summary and less justifiable methods for relieving themselves from the grievances that more immediately pressed upon them. Their chief causes of complaint were rack-rents, and the exactions of tithe proctors, who farmed the tithes of the Protestant incumbents, and exacted them with the utmost rigour from the cultivators. The tithe, which, being employed to support a Protestant establishment, is most unpalatable to the Catholic occupiers, was rendered still more unpopular by a resolution of the House of Commons, in 1735, exempting pasture lands from its payment; and which, consequently, made it be levied with greater strictness from the potatoes and corn raised by the small farmer. The people in the southern and western counties assembled in large bodies to prevent, by summary acts of outrage, the levy of tithe or the payment of rack-rents. They obtained the name of White-boys from wearing shirts over their clothes, that they might know each other during night. Sanguinary laws were enacted to suppress these associations, notwithstanding which they extended to the northern counties, where the associates were known by the names of Hearts of Oak, Hearts of Steel, Peep-of-day Boys, and Defenders.

The state of the elective franchise in Ireland was totally inconsistent with anything like real independence. "Two-thirds of the members of the House of Commons were returned with the mere farce of an election by wretched tenants of the aristocracy." (*Hallam, Const. Hist.* iii., 510.) And so venal was the parliament, that any minister, how unpopular soever, had little difficulty in securing a majority. Hence the anticipations in which Grattan and other Irish patriots had indulged, on the recognition of the independence of Ireland, were destined to experience a mortifying disappointment. The efforts of the volunteers to effect a reform of the representation having, as previously seen, totally failed, the hopeless task of impressing a sense of its corruption on the corrupt body was undertaken by the Whig Club. But its efforts being equally unavailing, this ill success, and the hopes inspired by the French Revolution, stimulated the more sanguine of the popular party to adopt violent measures. In this view they instituted the society of United Irishmen, bound together by oaths, and communicating by secret signs. It is doubtful whether this society was originally actuated by rebellious motives, whatever may have been the case with some of its leaders, or whether it was merely impelled by an ardent wish to obtain a reform of the representative system, and the total abolition of the disabilities affecting the Catholics. But the attempts to effect these objects by legal means having been defeated, the society, despairing of any better success in future, impatient of further delay, and urged on by the example

and the agents of France, determined to raise the standard of revolt, and to attempt to establish a republic in Ireland! They carried on their projects with so much vigour and secrecy that they had embodied upwards of 100,000 men before the extent of the conspiracy was fully known to government, and had also prevailed upon the French government to fit out a considerable armament for their support; but this armament after lying in Bantry Bay for a few days in the winter of 1796, was forced to return home by stress of weather. Disappointed in this hope, and goaded on by the increased severity of government, the United Irishmen rose in open rebellion in 1798. The insurrection raged most violently in the counties of Wexford, Wicklow, Down, and Antrim; but the rebels made no efficient resistance; and were soon put down, though with great loss of life, the destruction of much property, and the perpetration of many enormities.

The proceedings in 1783 and 1784, and the outbreak of the rebellion, set in the strongest light the necessity for a legislative union between Great Britain and Ireland; and the suppression of the latter gave a favourable opportunity for bringing it forward. But though its policy be too obvious to be insisted upon, though Molyneux viewed it as "a happiness hardly to be hoped for,"* and Montesquieu considered it as essential to the prosperity and good government of Ireland,† the Union was strenuously opposed. Luckily, however, the opposition was overcome; and having been accomplished, it took effect from the 1st of January, 1800. Unless, indeed, it were wished to put an end to all political connexion between the two countries, nothing could be more anomalous and absurd than the existence of a separate and independent legislature in Ireland. Jealousies and disputes must have been perpetually arising between it and the legislature of Great Britain, which must necessarily have led to the estrangement of the two countries, and, most probably, in the end to their separation, or to the complete subjugation and military occupation of Ireland. The Union was indispensable to the peaceable consolidation of the British empire, and more especially to the tranquillity and improvement of Ireland; and should, therefore, be considered, like the Bill of Rights, or the Act of Settlement, as fundamental and inviolable.‡

Hopes were held out to the Catholics that the total repeal of the penal laws, would be facilitated by the Union. At first, however, they were disappointed. The introduction of the question into the Imperial Parliament occasioned a change of ministry, and the adoption of severe measures, though not more so, perhaps, than necessary, towards Ireland. In 1803 an insane attempt at insurrection broke out in Dublin, which was suppressed, with the loss of a few lives, on the night in which it commenced; and a similar attempt in Down had a similar termination. The continued rejection of the Catholic petition in the Imperial Parliament, before which it was

* *Case of Ireland, &c.* p. 98, ed. Dublin, 1698.

† *Hardy's Life of Lord Charlemont*, i. 70.

‡ It is not, as the apologists of the Irish anti-union demagogues affect to believe, the same thing to agitate for a repeal of the Act of Union, and of any other Act. Men of sense look to the consequences of their conduct, and do not regard the dismemberment of the empire, and the repeal of a Turnpike Act as identical.

almost annually brought forward, eventually led to a new organisation of the Catholics of Ireland, under the name of the Catholic Association. Mr. Daniel O'Connell, remarkable for his wary boldness, political dexterity, and thorough knowledge of the Irish character, originated and directed this body. Its distinguishing features were, the admission of the whole Catholic population, on payment of a penny a month per head under the name of "rent;" an adherence to the letter of the law, however adverse or oppressive; and a determination to vote at elections against every candidate not pledged to support the Catholic question, whatever might be his other claims to popular favour. A counter association was subsequently formed by the more intolerant portion of the Protestants, under the name of the Brunswick Club; while another portion of the Protestants, favourable to Catholic Emancipation, formed a third association, under the name of The Friends of Civil and Religious Liberty. The anticipated conflict of these powerful bodies, thus marshalled for and against a question of so much interest, was prevented by the unexpected, but wise and statesmanlike, declaration of the Duke of Wellington, then Prime Minister, of the expediency, and, indeed, necessity of conceding the Catholic claims. Emancipation followed, of course; and was itself rapidly followed by the Reform Act. And this, again, was soon after followed by the reform of the corporations; by a modification of the church establishment; by a reduction in the assessment on account of tithe, and a change in the mode of its payment, which has stripped it of more than half its bad qualities; and by the introduction of a modified system of poor laws.

But despite these measures, despite the adoption of a fair and liberal system of government, and despite the extraordinary favour shown to Ireland in respect of taxation, she continues to be a prey to innumerable disorders, and appears to be about as dissatisfied as ever! Her prædial sufferings have not been materially alleviated, and she is still rife with political agitation. The last has been found to be too prolific of power and emolument to be readily abandoned. Though the emancipation of the Catholics in law and in fact has been accomplished, and though they are now equally with Protestants admitted to the highest offices of the State, agitation has not abated. And it is to be observed, that this more recent agitation is not directed against the Irish church, or the supposed abuses connected with the letting of land, or absenteeism, or other real or imaginary grievance, but has taken the Repeal of the Union for a theme! And for years past a tribute has been collected; a sort of mock parliament has sat in Conciliation (!) Hall in Dublin; "monster meetings," with thousands of men marshalled in military array, have been held in the provinces; priests have issued manifestoes; poets have contributed anti-Saxon ballads; and every means that a real or simulated hatred of England, and the most unscrupulous mendacity could suggest, have been put in motion to advance this unattainable and suicidal project. An agitation for such an object could not have been got up in any other country; and nowhere else would it have been permitted for years to disturb the public tranquillity and to thwart every effort at improvement. It is probable, indeed, that in no very lengthened period the delusion will die away of its own accord,

and that its originators having effected their own ends, will pronounce Repeal impracticable; leaving their less cautious and more conscientious dupes, to extricate themselves as they best may, from the serious difficulties in which they may happen to be entangled. But we incline to think that measures should have been adopted to suppress the anti-Union agitation; and that, if nothing else would, a law should have been framed to shut the mouths and obstruct the schemes of those, whose proceedings, whether their views be selfish or factious, or merely absurd, involve the immediate disruption of the legislative connexion between the two great divisions of the United Kingdom, and its eventual dismemberment.

SECT. 2.—*Constitution of Ireland.*

The constitution of Ireland is modelled on that of England; but, as already seen, for a lengthened period, the native Irish, comprising the great bulk of the population, were excluded from all participation in its benefits, and were, in fact, reduced to a state of bondage. This conduct, it is needless to add, was little less injurious to the conquerors than to the conquered. "As the English would neither in peace govern the Irish by the law, nor could in war root them out by the sword, they needs became pricks in their eyes and thorns in their sides." But nations are slow and reluctant learners; and that selfish short-sighted policy, whose effects were thus forcibly exposed by Sir John Davis (*Discoverie, &c.*, p. 120, ed. 1747) in the reign of James I., flourished in its full vigour down almost to our own times.

Henry II., during his short residence in Dublin, introduced the germs of English law, by granting charters to Dublin and the other leading towns which acknowledged his rule. His example was followed by his son John, who came over during his father's lifetime as Lord of Ireland; and who, on a second visit, after his accession to the throne of England, divided the country into counties, increased the number of chartered towns, erected courts of law and equity, and appointed justices, bailiffs, and other subordinate officers, according to the forms recognised in England. These institutions, however, extended only to the parts of the island subject to the English. The remainder was held by the Irish kings and dynasts, according to the rules of their native law. These were now considered each as sovereign in his own territory, but tributary to the King of England. Roderic, King of Ireland, at the period of the invasion, did homage and swore fealty by his proxies to Henry, a year or two after that monarch's departure: and resigned by deed the sovereignty of certain districts, that he might quietly enjoy the remainder of his dominions. This vassalage of the Irish is recognised in the writs emanating from the English Crown during this period, which are directed to the archbishops, bishops, kings, earls, &c. Another point deserving of attention in investigating the origin of the Anglo-Irish constitution is, that in all the delegations of royal authority the paramount sovereignty of the English Crown is expressly reserved. When John was sent over by Henry II., with powers otherwise unlimited, there was a saving in his patent of the rights which pertain to the Crown. A similar grant of delegated authority from Henry III. to his son Edward has also

the saving clause, that Ireland be never separated from the Crown of England. The recognition of these rights was facilitated by the co-operation of the clergy. A council held at Cashel, in which the Bishop of Lismore presided, as legate from the Pope, decreed a uniformity of religious doctrine and discipline with the church of England, then in communion with the church of Rome.

The period at which the parliament of Ireland assumed its character of an assembly of lords spiritual and temporal, in one house, and of knights, citizens, and burgesses, in another, is uncertain. Sir John Davis says, "that the High Court of Parliament in Ireland was instituted by Edward II., and that the laws made in the parliament of England were transmitted thither under the great seal of England, to be proclaimed, enrolled, and executed as the laws of the realm." But an Irish Act of 32 Henry VI. expressly affirms "that the liege people of Ireland used to hold parliaments without interruption from the Conquest by the most noble King Henry of England to the present time." This assertion is corroborated by a writ of 38 Henry III., issued by the Queen during his absence on the continent, calling for aid in the war against the King of Castile, who had invaded Gascony. The writ is directed to the archbishops, bishops, abbots, priors, earls, knights, freemen, citizens, and burgesses of Ireland. The earliest extant Act of the Irish parliament is of the 3rd of Edward II.

The difficulty of investigating the history of the Irish parliament during these earlier periods is increased by the circumstance of its being usual for the chief governor, in cases of emergency which could not await the customary forms of parliamentary meetings, to call special assemblies of the magnates or chief nobles. The decrees of these extraordinary bodies, distinguished by the name of *Magna Concilia*, or great councils, having obtained general acquiescence through the influence of their component members, acquired the force of law, and are not always easily distinguished from the Acts of Parliament which had passed through the customary legislative processes during the periods anterior to the existence of regular rolls of parliamentary enactments.

The limitation of the English law to the districts possessed by the English settlers and their descendants, led to that most calamitous system of government, an *imperium in imperio*, whence most part of the subsequent disasters of the country may be deduced. That the system of English government and jurisprudence, however novel and complicated, was not uncongenial to the feelings and wishes of the Irish people would seem to be established by the fact that, as early as the reign of Edward I., the Irish made an offer to that King of a contribution of 8,000 marks to be admitted to the benefits of the English law. On this proposal being transmitted to the King's lieutenant, to be laid before the parliament of Ireland, it was rejected by the Anglo-Irish nobility, who conceived that their influence would be weakened and their power contracted by the participation of the Irish in their laws. A second application of the same kind met with a similar fate. In consequence, the spirit of hostility between the two great divisions of the population, the native Irish and the descend-

ants of the English settlers, gradually scattered its seeds and spread its roots on all sides till their eradication became all but impossible. The English considered the Irish not as strangers merely, but as enemies, admissible to English protection solely as matter of favour, by special writ, which had been conferred on five only of the great Irish families. The Irish in turn retaliated upon the invaders by desultory aggressions upon life and property, which in the more depressed periods of the English government were warded off, not by force of arms, but by the payment of a stipulated annual tribute, known in Ireland, as in the Highlands, by the name of Black Mail.

The chief governor, who bore the title successively of justiciary, custos or warden, lord lieutenant, and lord justice, was vested, in the earlier period of the English ascendancy, with very extensive powers. He was authorised to appoint a lord deputy during his occasional absence; to convoke, prorogue, and dissolve parliaments; and to pass, if he thought fit, such laws as they might enact, without communicating with England. His military authority was equally extensive; and he might summon all the King's subjects to attend him, both in his musters against revolted subjects or enemies, and in his progresses of a more peaceful nature throughout the country.

The parliaments of Ireland possessed at all times, and more especially in these days, little of the spirit or influence that is now usually supposed to belong to such assemblies. They were the slaves of faction, or rather its impersonation, and were actuated in every case by the narrowest and most selfish views, without once thinking or caring about the public interests. "They oppressed," says Leland, "the king's subjects by taxes repeatedly imposed, and by subsidies exacted at the pleasure of rapacious governors." (*Hist. Ireland*, ii. 512.) The times of their meetings, as well as their proceedings, were fluctuating and arbitrary, being sometimes held three or four times in the course of a single year! And though attempts were made to obviate this as well as other abuses, it continued till the reign of Henry VII. Hence the inability of the parliament and government of Ireland to establish anything like tranquillity and good order. This was so sensibly felt during the disastrous period that followed the invasion of Edward Bruce, that Edward III., despairing of being otherwise able to put down the abuses and disorders that everywhere prevailed, summoned the lords and commons of Ireland to meet him in his parliament in England. But this summons being obeyed by few only, Ireland continued in a state of anarchy; and during the reign of Richard II. the authority of England was reduced to a very low ebb.

This result was in part, at least, owing to measures of the English government in the reign of Edward III. of a very different character from that now alluded to. To increase and strengthen the dependence of the Irish government on England, it was ordered that all public officers, whose property was wholly in Ireland, should be removed, and their places supplied by others, born in England and possessed of property there. This unjust and impolitic regulation gave rise to a new distinction among the settlers—that of English by blood and English by birth. Its immediate effect was the assembling of a

Parliament of the discontented party in Kilkenny, in opposition to the Lord Lieutenant's Parliament convoked in Dublin. To close this schism the King sent over his son Lionel, Duke of Clarence. His first act widened the breach. Surrounded on his arrival by followers of English birth, he issued a proclamation prohibiting any of the old English, or of the King's subjects of Irish birth, from approaching his camp. After a short and disastrous stay he was recalled. He returned, however, a few years after; and a parliament convened, under his auspices, at Kilkenny, in 1367, was prevailed upon to pass a statute, which after reciting that the English established in Ireland had so far degenerated as to become mere Irish in their language, dress, customs, &c., goes on to enact that marriage or fostering with the Irish, furnishing them with victuals in time of war, or with horses or armour at any time, should be held to be treason, or at least to involve the forfeiture of their lands. It prohibits the use of Irish names, language, apparel, or modes of riding by the English, and of the Irish language by the Irish resident among the English. It declares that the Irish, of Irish lineage, shall not be admissible to any cathedral, nor to any ecclesiastical benefice among the English, nor to profession in religious houses there, and prohibits Irish agents, under the names of "pipers, babblers, rhymers," &c. from being received among them.

This statute completely severed any remaining links of amity between the English and Irish. It declared expressly that the latter were irreclaimable. From this period the English power rapidly declined. The *Pale* comprised only a few counties, and the proceedings of the parliament representing so small a part of the island were nugatory. At this time, though Dublin was the more usual place for legislative assemblies, they were frequently held elsewhere. There were numerous sessions at Drogheda. Trim, Kilkenny, and Castledermot were also places for those meetings. The public records notice a sessions at the petty town of Bray. In the beginning of the reign of Henry VII., when the authority of England was at its lowest point, the Irish Parliament, as previously stated, declared the impostor, Lambert Simnel, King of Ireland, by the title of Edward VI., and enacted severe laws against those who refused to recognise his right. Henry, to prevent the recurrence of such a circumstance, sent over Sir Edward Poynings as Lord Deputy, accompanied by several English officers of acknowledged ability. Through his influence two statutes were passed, in 1495, which totally changed the character of the Irish Parliament. The one was for the adoption of all the statutes lately made in England; a law not novel in its provisions, and confirming rather than trenching on the rights of the Irish legislature, by virtually recognising the necessity of the ratification of an English statute by it in order to give it the force of law. The other, since well known in Irish history by the name of "Poynings' Law," made effectual provision for maintaining the ascendancy of the government of England over the legislature of Ireland. With this view it was enacted, that no Parliament should in future be held in Ireland without license from the King; and that no bill or draft of a law should be submitted to its consideration, without having been previously sent over to England by the Irish Govern-

ment for the approval, alteration, or rejection of the King; so that the power of the Irish Parliament was thus, in fact, limited to the mere acceptance or rejection of bills approved or modified by the English Government.

This Act was much and justly complained of at a later period; but, when passed, it was a judicious and a deservedly popular measure. Parliaments had previously been, for the most part, the mere instruments of the faction that happened to be ascendant at the time; so that their enactments were often conflicting, and the administration wanted vigour and consistency. Poynings' law obviated, to a considerable extent, these defects; and Parliament henceforth became dependent rather on the government of England than on any particular faction or party in Ireland.

Henry VIII. assumed the new titles of King of Ireland and Supreme Head of the Church. The former was received with immediate acquiescence, the latter was for some time obstinately resisted; but, at length, it also was acknowledged, chiefly through the relaxation of the statute of Kilkenny; in consequence of which the principal chieftains, who had hitherto disclaimed any subordination, returned to their tributary state, and accepted pensions in lieu of black mail. The chief of those refractory lords, the Earl of Desmond, though at first he insisted on retaining the privilege enjoyed by his ancestors of not entering any walled town out of his own jurisdiction, at length became a liege subject, and attended as a lord of parliament.

In the reign of Elizabeth, the Catholic Church of Ireland was subverted, and the Protestant Church of England established on its ruins. But the religion of the bulk of the people was not influenced by the change. The doctrines of the Reformation have made no progress in Ireland; which, since this unhappy period, has had an establishment without a people, and a people without an establishment. A new and most potent element of discord was thus unluckily added to those already existing in Ireland, which has continued to exert a most baleful influence down to the present moment.

The chief change in the numbers and constitution of the House of Commons was effected by James I., who, on his settlement of Ulster, established a number of boroughs authorised to send representatives to Parliament. But their members, from their insignificance, and the confined mode of their election, were the mere nominees of noblemen or gentlemen in their vicinage, over whom the Crown could usually exercise, either directly or indirectly, an overpowering influence. The Parliament convoked in 1613, is generally considered as the first in which the whole of Ireland was represented. What had been previously dignified by this name was, in reality, the Parliament of the *Pale*, a colonial Assembly, composed of the lords and commons of from four to ten or twelve counties. That now convened consisted of 232 members, at the rate of two for each of the thirty-two counties, the remainder being for cities, towns, and boroughs. Its first meeting opened with a contest between the Protestant and Catholic parties, in regard to the election of a speaker. The Protestant party had the majority, and placed their candidate in the speaker's chair; this, however, did not put an end to the contest, which was

terminated only by the secession of the minority. During this reign the Commons endeavoured to modify the operation of Poynings' Law, by claiming to be remembrancers to the Privy Council of such laws as were fit to be propounded; and after the fall of Strafford they asserted and established the right of preparing heads of bills to be presented to the chief governor and council for transmission to England.

The mode of passing laws, from this time till 1782, was as follows:—The subject was brought into either house in the form of heads of a bill, under which name it was discussed. If approved of, it was sent to the chief governor and Privy Council, who either certified it to England, without or with alteration, or suppressed it. If, when sent, it was returned, or, as it was styled, transmitted without alteration, then it passed in the shape of a bill through the house in which it had originated, was forwarded to the other house, and, if approved of there, it passed into a law by receiving the royal assent from the throne by the Lord Lieutenant. But if the bill came back from England altered, it was usual either to reject it altogether or to frame anew the heads of a bill in compliance with such alterations, and to transmit them as above.

Cromwell, with that sagacity which distinguished all his proceedings, revived, during his protectorate, the attempt made by Edward III., to have Ireland represented in the English Parliament. The number of members to be sent over was fixed at thirty; but unfortunately the project was not carried into execution.

James II., after his abdication, held a Parliament in Ireland, which passed a number of laws; some for the reversal of attainders in the two preceding reigns, others for purposes of public utility. These were all cancelled after the Revolution; and the entries of grants of dignities, offices, and lands, made under James's government, were erased from the records.

The constitution of Ireland, after the Restoration, is marked by two peculiar characteristics. The members of the House of Commons held their seats, not by septennial election, as in Great Britain, but during the lifetime of the sovereign. Their tenure was, therefore, regarded as tantamount to a life estate, subject only to a dissolution on the King's demise. The Lord Lieutenant visited Ireland but once in two years to hold a Parliament and obtain supplies. The government, in the interval, was intrusted to three lords justices, one of whom was either the Lord Chancellor or primate, both of which officers were always Englishmen; the other two being selected from among the most powerful of the great Protestant families. The influence of the latter was often employed to thwart the measures of the British Cabinet, in questions wherein the interests of the two countries were supposed to be at variance, particularly when such measures interfered with the aggrandisement of the parties. The question of the right of the British legislature to control that of Ireland was one of those mooted points; and Mr. Molyneux, member for the University of Dublin, and the friend of Locke, published, in 1698, a learned and able essay,* to prove that the Parliament of England had no

* *Case of Ireland being bound by Acts of Parliament in England, stated,* 8vo. Dublin, 1698.

right to make laws to bind the King and people of Ireland. The English Commons took fire at what they deemed an attack upon their privileges. In an address to the King they protested against a doctrine fraught with such alarming consequences, and ordered the book to be burned by the common hangman. The question thus set at rest for the moment was revived a few years after. The English House of Lords having reversed a judicial decree made by that of Ireland, its decision was stubbornly resisted. The dispute was cut short for the time by an Act of the English Parliament, declaring it had full power and authority to bind the people of Ireland, and further asserting that the peers of Ireland had no jurisdiction to affirm or reverse any judgment or decree whatever. The Irish Commons, by their silence, appeared to acquiesce in this declaration. The peers asserted their right of appellate jurisdiction in an address to the King, of which, however, no notice was taken. It is a singular fact, that, while this contest was at its height, the English Parliament exercised the right without dispute and almost without notice, and that, too, on a point vitally affecting the interests of Ireland. Catholics sat in Parliament during the reign of Charles II. The Revolution made no change in the law in this respect. Their right still continued unimpaired. An English Act of the 3rd of William and Mary required all the members of both houses to take the oath of supremacy. This Act, according to Irish constitutional ideas, was not binding in Ireland; but the Commons took no notice of this infringement of their rights. The Catholics submitted to it passively, and, under warrant of this dubious and, in other cases, disputed authority, they acquiesced in their own exclusion, during a period of upwards of eighty years, or until all doubt was removed by the Irish Act of the 21st and 22nd George III., which excluded them in express terms.

The Irish Government was at this time nearly independent of Parliament. A statute of Charles II. had settled an hereditary revenue on the Crown; which was in effect, as far as it went, a perpetual money bill. The supplies required for extraordinary purposes were granted biennially at the meeting of Parliament. The Government, desirous of freeing itself from even this slight check, brought in a Bill for granting the supplies for twenty-one years. A desperate struggle took place on the question, between the partisans of Government and those members of the House of Commons who wished to retain their own influence by retaining the right to withhold the supplies. The latter party triumphed; the Appropriation Bill being thrown out by a majority of ONE.

Another dispute between the Government and the House of Commons emanated from the same source. A surplus revenue, to a small amount, arising from the biennial supplies, remained in the exchequer. The English Council insisted on the King's right to its disposal; while the Commons insisted on their absolute control over the public purse. The former endeavoured to steer a middle course. A message was sent from the King, signifying his previous consent that the moneys in question should be applied to certain public purposes. The Commons protested against this right of previous consent, and rejected the Bill containing the obnoxious expressions. Meantime the

English Council drew the moneys out of the exchequer by the King's letter, and the Commons again acquiesced in silence.

The situation of the English Government in Ireland was, at this time, irksome and invidious. To carry on the public business with ease and expedition, it was necessary to conciliate the great landed proprietors, who, in consequence of the preponderance of the members for close boroughs over those for counties and open corporations, were virtually masters of the House of Commons. The party which thus ruled the country, by playing the British Government and the Irish people against each other, was known by the name of the Undertakers. It had a double object; the one, to make the Crown dependent on itself, as far as Ireland was concerned; the other, to check the spirit of liberty in the people, and at the same time to throw upon the Government the odium of measures of which it was really the instigator.

To break down this petty aristocracy, the British Cabinet, in the early part of the reign of George III, resolved that the Lord Lieutenant should reside permanently in Dublin; thus superseding the intermediate agency of the lords justices, and so far neutralising the influence of the party out of which they had been selected. It also, as previously stated, changed the duration of Parliament; making it, instead of perpetual during the King's life, octennial, so as to allow the holding of four biennial sessions during its continuance. These new arrangements added considerably to the power of the popular party in Parliament. The Undertakers were shorn of much of their influence by being deprived of the distribution of places and pensions, now exclusively at the disposal of the Lord Lieutenant; and they were obliged to pay some deference to public opinion, in consequence of the increased frequency of general elections.

We have already noticed the circumstances which led to the repeal of the restrictions on the trade of Ireland, and to the renunciation by the British Parliament of the right to legislate for that kingdom. This was embodied in the British Act, the 23rd Geo. III., c. 28, which declared, "that the right claimed by the people of Ireland to be bound only by laws enacted by His Majesty and the Parliament of that kingdom, and to have all actions and suits at law and in equity which may be instituted in that kingdom finally decided in the courts therein, and without appeal from thence, is established and ascertained for ever, and shall at no time hereafter be questioned." This arrangement, which took place in 1783, went by the name of the Final Adjustment. Acts were passed at the same time to prevent the suppression of Bills by the Irish Privy Council in their progress to England, and their alteration anywhere, and to limit the powers of the Mutiny Bill to two years.

According to these new regulations, the mode of passing Bills was as follows:—The Chief Governor and Council certified to the King, without addition, diminution, or alteration, all such Bills, and none others, as both Houses judged expedient to be enacted. All Bills so certified and returned under the Great Seal of England, without addition, diminution, or alteration, and none other, were to pass in the Irish Parliament. No Bill was to be certified into England as a cause

for holding a Parliament; but no Parliament was to be holden without licence first had from the King under the Great Seal of England.

The "final adjustment" did not, however, as might easily have been anticipated, set to rest all differences as to subjects of international policy. The mental derangement of George III., in 1789, gave rise to a question of constitutional importance. It was deemed necessary to appoint a regency. The Prince of Wales, the heir-apparent to the throne, was chosen Regent by the British Parliament, but with restrictions; whereas the Irish Parliament offered him the regency with all the powers of a ruling monarch; so that had the King's illness continued, the Prince would have held the reins of government in each kingdom by a different tenure. The restoration of the Sovereign's health silenced a question, of which the Union prevented the revival. But the circumstance strongly exhibited the serious dangers to the public peace, that could not fail to arise from the same kingdom having two separate and independent legislatures.

The great measure of restoring the Catholics to the enjoyment of the elective franchise, of which they had been so long and so unjustly deprived, was carried through parliament, in 1793, against the conviction of the majority of its members, by means of the influence of the English government. The concluding chapter of the history of Ireland, as a separate kingdom, followed close upon the adoption of this measure. In 1799, a legislative union, incorporating the Parliaments of the two great insular divisions of the British empire, happily became the law of the land, after a parliamentary struggle, in which bribes, promises, and threats played the same part they had done in the case of the union with Scotland in the early part of the century.

The leading provisions of this Act are:—1. The permanent union of the two kingdoms into one, under the title of the United Kingdom of Great Britain and Ireland. 2. The succession to the throne to continue limited as before. 3. The kingdom to be represented in one Parliament, to be styled the Parliament of the United Kingdom of Great Britain and Ireland. 4. Twenty-eight temporal peers, elected for life, and four spiritual peers, succeeding each other in a rotation of sessions, to be admitted into the House of Lords; and one hundred representatives, two for each county, two for each of the cities of Dublin and Cork, one for Dublin University, and one for each of thirty-one towns and boroughs, to be elected into the lower house. 5. The churches of England and Ireland to be united under the name of the United Church of Great Britain and Ireland; the doctrine, worship, and discipline of which to be the same as that established for the church of England. 6. The subjects of both countries to be placed on the same footing as to manufactures, trade, and commerce. 7. The contribution of each portion of the empire towards the general expenditure to be in the proportion of fifteen to two between Great Britain and Ireland for twenty years; and afterwards to be regulated by Parliament. 8. The existing laws and courts of justice to continue as heretofore, except that appeals from the Irish Chancery are to be brought into the House of Lords in England. The royal style was

changed to that of King of the United Kingdom of Great Britain and Ireland. The Act took effect on the first day of the present century.

Two great constitutional changes have taken place since the Union: one occasioned by the Act 10 Geo. IV. c. 7, for removing all the disabilities under which the Roman Catholics laboured, and the other by that for the Reform of the House of Commons.

The former of these statutes enacts that Roman Catholics may vote at elections of members of Parliament for England and Ireland, and for the representative peers of Scotland and Ireland; and may sit in Parliament, if duly qualified in other respects, on taking an oath prescribed by the Act, by which they promise to maintain the succession to the throne as then limited—abjure allegiance to any other person claiming a right to the crown—renounce the doctrine of the Pope's power to depose excommunicated sovereigns, and of his temporal jurisdiction within the British realm. By this oath they also swear that they will defend the settlement of property as established by law, abjure any intention to subvert the present church establishment, and pledge themselves not to exercise any privilege, acquired by the Act, to disturb or weaken the Protestant religion or Protestant government in the United Kingdom. Roman Catholics may hold any civil or military office, except those of guardian and justice, or Regent of the United Kingdom, Lord Chancellor of Great Britain or Ireland, Lord Lieutenant of Ireland, or High Commissioner to the General Assembly of the Church of Scotland, or any office in the established churches of England, Ireland, or Scotland, in any ecclesiastical court, in any cathedral or collegiate foundation, or in any of the universities. No Roman Catholic in holy orders is allowed to sit in Parliament. The Act contains various clauses respecting Roman Catholic ecclesiastics, but not of any constitutional importance. Together with the Act here noticed, another was simultaneously passed, which repealed the Act qualifying forty-shilling electors to vote for members in counties in Ireland, and limited the right of voting to persons having freeholds of not less than 10*l.* annual value.

The Act for amending the representation of the people of Ireland confers the right of voting in counties on persons holding lands of the clear yearly value of not less than 10*l.* by freehold or any other tenure, for the unexpired residue of any term originally created for not less than sixty years, and of lands of the yearly value of not less than 20*l.* for not less than fourteen years; renewals or new leases at the same rent, and for a term not less than that originally granted, to be deemed a continuance of qualification. The right of voting is also extended to copyholders. The right of voting in cities and towns is vested in freeholders having a beneficial interest of the clear yearly value of 10*l.*, and such lessees and assignees as might vote for the county, and occupiers as tenants or owners of any house or tenement of the value of 10*l.*, if duly registered, and having been occupiers at least six months previous to registry, and having discharged all grand jury and municipal cesses above one-half year's amount of such cesses. In boroughs it is vested, as in the English Act, in the occupiers of houses or tenements of not less than 10*l.* yearly value, on the condition of twelve

months' previous occupation, residence within seven miles, and payment of all the assessed taxes. Freemen are permitted to vote only so long as they are resident within seven miles of the usual place of election; honorary freemen are disqualified. New boundary lines are prescribed by a subsequent Act for all boroughs entitled to return members, which right is continued as in the Act of Union, with the exception of the cities of Limerick and Waterford, the borough of Belfast, the town of Galway, and the University of Dublin, each of which is to return one member in addition to the member it returned since the Union. The right of voting in the university, hitherto confined to the provost, twenty-five fellows, and seventy scholars, is extended to all who have taken the degree of master of arts, or any higher degree, and to all who have at any time been fellows or scholars, such new electors being required to have their names entered on the college books for this special purpose, and to pay an annual sum of one pound for retaining them there. This new arrangement has increased the number of electors to upwards of 1,300. The principal alterations in the number of representatives for Ireland, in the Irish and Imperial Parliament, have been:—In the reign of Henry VIII. the House of Commons had 100 members; Philip and Mary, 104; Elizabeth, 146; James I., 232; Charles II., 285; James II., 298; Anne, and thence to the Union, 300; in the Imperial Parliament, from the Union to the Reform Act, 100; and since the Reform Act, 105.

The executive is vested in the Lord Lieutenant, who holds office during pleasure, but is generally continued for five years. The extraordinary powers, trenching on the prerogative of royalty, which he formerly exercised, have been gradually lopped off, so that he is now little more than the organ for executing the ordinances of the British cabinet. He still, however, has an establishment of regal character, holds a court, is attended by officers of the household, for the support of which he receives a fixed annual salary of 20,000*l.*, two splendid residences, and several minor emoluments, among which the payment of his household by the Crown is by no means trifling. He is aided in the discharge of his official duties by a privy council, composed of all the great judicial functionaries, and other noblemen and gentlemen, nominated by the Crown. The approbation of this body is essential to give validity to many of the Lord Lieutenant's acts. During his absence, or on his demise, his place is filled by three Lords Justices, who are generally the Lord Chancellor, the Archbishop of Armagh, and the Commander of the Forces. But the powers of government are in reality exercised by the Lord Lieutenant's chief secretary, who is usually a member of the cabinet, and has an establishment of under-secretaries and clerks, in London and Dublin, to execute the details of his office. The charge of each county is given to a lord-lieutenant, aided by a number of deputy lieutenants, all named by the chief governor, and acting gratuitously. Their recommendation has much weight in the appointment of the county magistracy, though their actual nomination be vested in the Lord Chancellor, by whom also they may be superseded. They act without salary. Latterly, a class of stipendiary magistrates has been established, appointed ostensibly to aid the other class, but who, in

reality, perform the greater part of the executive duties, and are looked to by the government as more especially responsible for the preservation of the public peace. Their orders are carried into execution by a well-organised and powerful constabulary force of about ten thousand men, classed under the divisions of inspectors, high constables, constables, and sub-constables.

SECT. 3.—*Courts of Justice.*

The system of judicature in Ireland rests on the same principles as that of England, whence it was introduced by King John when Lord of Ireland. He established the Courts of Chancery, King's Bench, and Exchequer, and instituted circuits by justices itinerant through such parts of the island as acknowledged the authority of the King of England.

The *Court of Chancery* has the same jurisdiction and power as that of England; the Lord Chancellor ranks next to the Lord Lieutenant, except within the city of Dublin, where the Lord Mayor takes precedence. He is assisted in the discharge of his judicial functions by the Master of the Rolls. This latter office was for a long period nearly a sinecure, the only duty attached to it being the custody of the principal records of the Court, which was executed by deputy; but at the Union, the presence of the Irish Chancellor in the Imperial Parliament being deemed necessary, the Master of the Rolls was vested with judicial powers, subordinate to those of the Chancellor. The salary of the former of these functionaries was fixed at 10,000*l.*, but has been since reduced to 8000*l.*; that of the latter continues at the rate fixed in 1815, 4,500*l.* per annum. The Chancellor holds office during pleasure; the Master of the Rolls during good behaviour. The other principal subordinate officers of the Court are, the Chancellor's secretary; four masters, who investigate the details of judicial proceedings and report thereon; and six clerks, through whom all suits must be brought before the court. In 1815, an Act was passed empowering the Lord Chancellor to appoint extraordinary commissioners to examine witnesses, and take answers and affidavits in England and Scotland respecting suits in the Irish Chancery; the like powers were vested by the same Act in the Exchequer as to suits in equity there. The proceedings in each court have been considerably facilitated by this arrangement. Previously to the Union, the Irish House of Lords was the court of final appellate jurisdiction from the Court of Chancery and the Court of Equity in the Exchequer. This right, after having been claimed by the British House of Lords, was vested ultimately in that of Ireland by acts of both parliaments. At the Union, the right of final appeal was transferred to the House of Lords in the Imperial Parliament.

The Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, are regulated, both in principle and in practice, as in England. Each is under the direction of a chief justice and three inferior or puisne judges. All of them hold their offices during good behaviour, are removable only by an address to the King from parliament, and on resigning in consequence of age or infirmity are entitled to liberal salaries during life. For trial of law records and criminal cases the

country is divided into six circuits, through each of which two of the judges of the law courts proceed twice a year, during Lent and at Midsummer. In cases of illness or of unavoidable absence, their places are supplied on circuit by one of the King's law officers, the attorney-general, the solicitor-general, and three serjeants.

The Lord Lieutenant and privy council used formerly to sit as a court of justice in extraordinary cases. From having been held in the Castle, Dublin, this court took the name of the Court of the Castle Chamber; but it was also frequently called the Court of the Star Chamber, from the identity of its objects, principles, and forms, with the English court of that name. It was abolished at the Restoration; but the privy council still sits as a court of appeal, chiefly in ecclesiastical affairs: the Lord Lieutenant nominally, and sometimes personally, presides in it; but the judiciary powers are virtually exercised by the Chancellor, the Master of the Rolls, the heads of the other courts of justice, and such of the King's law officers as are privy councillors. At present, the court consists of what is called the law committee of the council, which, after hearing the case, pronounces judgment in the form of a report to the body at large, which report is always adopted, and thus becomes law.

The other courts sitting in Dublin are, the Prerogative Court, for the trial of ecclesiastical causes; the Court of Admiralty, for offences and suits of debt and damage on the high seas; the Court of Bankruptcy, which is held by commissioners appointed by the Lord Lieutenant; and the Court for the relief of Insolvent Debtors, instituted in 1821. It is presided over by two commissioners, who, besides their fixed court in Dublin, make circuits through the several counties, one commissioner visiting those in the northern provinces, and the other those in the southern. They are appointed by the Lord Lieutenant.

To diminish the expenses and delays attendant on the usual modes of proceeding in the superior courts of law, an Act was passed in the reign of William III., for deciding cases of small debts by a summary process, called civil bill. The Act, at first, was so inoperative as to be declared obsolete in the beginning of the reign of Anne, when it was revived; and it was further regulated by an Act of 2 Geo. I. But the most important step towards removing the impediments to the attainment of justice by the great body of the people, both in criminal and civil cases, was the appointment of county courts of general session, for which purpose every county is divided into two districts, in each of which general sessions of the peace are held four times a year by the resident magistrates, who are aided in their deliberations by an assistant barrister. The qualifications for this latter officer are, that he must be a practising barrister, and of six years' standing. He is ineligible to sit in parliament, and is prohibited from practising in the county in which he acts in a judicial capacity. By another arrangement, magistrates are required to hold courts of petty sessions for the investigation of minor criminal offences, which they had previously been in the habit of deciding in private. The effects of both these changes have been satisfactory.

Courts of quarter and petty sessions are held in the different boroughs; and in the larger towns, which have recorders, these functionaries hold courts for the trial of civil causes and the lighter class

of criminal offences. But all processes of a graver nature are referred to the judges during circuit.

Every manor, of which the number is very considerable, is entitled to hold courts of record, as in cities and towns, but generally to a very limited extent. The presiding officer is the seneschal, appointed by the lord of the manor. The manor of St. Sepulchre's, of which the Archbishop of Dublin is lord, claims the right to inflict capital punishment; but this right has not been exercised, at least in modern times.

CHAPTER VIII.—Religious Establishments of Great Britain and Ireland.

Sect. 1. *Constitution and Government of the Church of England.*

The Established Church of England is Protestant Episcopal. Its fundamental doctrines and tenets are embodied in the Thirty-Nine Articles, agreed upon in convocation in 1562, and revised and finally settled in 1571. These articles are said to have been chiefly compiled from others drawn up shortly after the Reformation in 1552, in the reign of Edward VI., and which had been repealed under Mary. But though this be the state religion, all others are tolerated under certain restrictions; and civil disabilities can hardly now be said to attach to any class of Her Majesty's Christian subjects. The oaths, however, that must be taken before persons are qualified to hold the higher civil and military offices, exclude from them Jews and infidels. The oaths in question are those of allegiance and supremacy, imposed by the 1st Geo. II. c. 13, and of abjuration, imposed by the 6th Geo. III. c. 53. In the case of Quakers and Moravians, declarations to the same effect are substituted. It was formerly necessary for all persons elected to any office, to take, within a specified time, the sacrament according to the forms prescribed by the Church of England; but this obligation was rendered unnecessary by the 9th Geo. IV. c. 17, and a declaration, "upon the true faith of a Christian," substituted in its stead.

The Roman Catholic Relief Act, 10 Geo. IV. c. 7, abolished the declaration against transubstantiation, the invocation of saints, and the sacrifice of the mass, as practised by the Church of Rome; enacting that Roman Catholics, on taking an oath, the form of which is prescribed in the Act, in lieu of the oaths of allegiance, supremacy, and abjuration, may sit in parliament, and be admitted to all offices, civil as well as military, excepting those of Regent of the United Kingdom, Lord Chancellor, Lord Keeper, Lord Commissioner of the Great Seal, Lord Lieutenant of Ireland, and his Majesty's High Commissioner to the General Assembly of the Church of Scotland. Roman Catholics are not, however, allowed to hold any church office, nor, if members of a corporation, to vote in church appointments. They are prohibited also from advising the Crown in the disposal of church preferment; and the livings in their possession are disposed of by the Archbishop of Canterbury and the Universities. The only class of Christians at present proscribed on account of religious opinions are the Jesuits, and members of religious orders bound by monastic or religious vows.

The statute 10 Geo. IV. c. 7, enacts, that it is a misdemeanor for such persons, unless they be natural-born subjects, to come into the kingdom; and that they shall be banished the realm for life. If natural-born subjects, they must give notice to the competent authorities who are authorised to allow them to remain six months. A member of any monastic or religious order administering, or aiding in administering religious vows, is guilty of a misdemeanor: an express exception is, however, made in favour of members of female religious societies. The Act 1 Will. and Mary, s. 1, c. 18, usually called the Toleration Act, amended by the 52d Geo. III. c. 155, orders, that the places of worship of Protestant Dissenters must, before they can be used as such, be registered in the bishop's or archdeacon's court of the diocese or archdeaconry, and recorded by the clerk of the peace, at the general or quarter sessions held for the county or district in which they are situated. The doors of such places of worship are not to be locked or bolted during divine service, under a penalty of not less than 40*s*., and not more than 20*l*. The Toleration Act also requires certain oaths or declarations to be taken by all ministers or preachers before officiating in any chapels, under a penalty of not less than 20*s*., nor more than 10*l*. It is further enacted, that no person holding any judicial or civil office, nor any corporate officer, shall attend such meetings in the habit or with the insignia of his office. A compliance with these regulations exempts the parties from certain penalties imposed by some old Acts passed in the reign of Elizabeth and Charles, which made it necessary that every one should attend divine service in the established church, and prohibited meetings of Dissenters altogether. Dissenting ministers taking the oaths are also exempted from serving in certain parish offices, and from being balloted for the militia; and their places of worship are protected from disturbance. The places of worship belonging to the Jews do not appear to be recognised by the laws.

The administration of the state religion is entrusted to the clergy; a class set apart for this purpose, and who constitute what is meant by the Church of England.

In consequence of their sacred duties, the clergy enjoy many immunities. They cannot be compelled to serve on a jury, nor to appear at a court leet or view of frank pledge. Neither can they be chosen to any temporal office, as overseer of the poor, bailiff, reeve, constable, or the like. During their attendance on divine service they are also privileged from arrest in civil suits. But as they have their privileges, so also they have their disabilities. Clergymen are incapable of sitting in the House of Commons; and the 57th Geo. III. c. 99, disables them, without the bishop's license, from taking a greater quantity of land than eighty acres to farm, under a penalty of 40*s*. per annum for every acre so held. Neither can they engage in any manner of trade, or sell any merchandise, under forfeiture of the value of the goods; every contract made in the course of such dealing being declared to be void.

The clergy may be considered in two characters:—1, in regard to their sacred duties as ministers of religion; and 2, as members of an establishment of human institution, deriving its rights and privileges from municipal law. In the former capacity they are divided into three orders and degrees—bishops, priests, and deacons, in imitation of

the Ἐπίσκοποι, Πρεσβύτεροι, and Διάκονοι mentioned in the New Testament. In the latter they consist of archbishops, bishops, archdeacons, deans, parsons, and curates.

I. The consecration of bishops, and the ordination of priests and deacons are religious ceremonies. The first will be mentioned when we have to speak of bishops as members of the church establishment. The ordination of priests and deacons is performed by a bishop, or archbishop, in the cathedral or church of the parish wherein he resides. The forms of service used on these occasions are given in the Book of Common Prayer, as established by the Act of Uniformity, 13 and 14 Car. II. No person can be admitted to deacon's orders until he be twenty-three years of age, nor to priest's until he be twenty-four. By a faculty or dispensation, however, obtained from the Archbishop of Canterbury, a person may be admitted deacon before he attains the age of twenty-three; but the rule with regard to the age necessary for priest's orders is inflexible. It is enacted by the 44th Geo. III. c. 43, that "none shall be made minister unless it appear to the bishop that he is of honest life, and possesseth the doctrine contained in the Thirty-nine Articles, nor unless he be able to answer and render to the ordinary an account of his faith in Latin, according to the said Articles, or have special gift or ability to be a preacher." The ordinary way in which his qualifications as to character and doctrine are made to appear to the bishop, is by a written testimonial: concerning which, it is directed by canon 34*, with respect to both priest's and deacon's orders, that "no bishop shall admit any person into sacred orders, except he shall then exhibit letters testimonial of his good life and conversation, under the seal of some college of Cambridge or Oxford, where before he remained, or of three or four grave ministers, together with the subscription and testimony of other credible persons, who have known his life and behaviour for the space of three years next before." The statute 13 Eliz. also requires, with respect to priest's orders in particular, that "none shall be made minister unless he first bring to the bishop of that diocese, from men known to the bishop to be of sound religion, a testimonial both of his honest life and of his professing the doctrine expressed in the Thirty-nine Articles." It is quite discretionary with the bishop whom he admits; nor is he obliged to to give any reason for his refusal. Hence the qualifications required sometimes differ, though never materially. If any bishop, however, or suffragan, admit any one to holy orders who is not properly examined and qualified, the archbishop of his province having notice of it, and being assisted by one bishop, "may suspend the bishop or suffragan so offending from making either priests or deacons for two years." By another canon (33) it is also provided, that "no person shall be admitted into holy orders except he shall exhibit to the bishop, of whom he desires imposition of hands, a presentation of himself to some ecclesiastical preferment then void in the diocese, or shall bring to the said bishop a true and undoubted certifi-

* The canons were a series of ordinances made for the regulation of the church by the Archbishop and clergy of the province of Canterbury, convened in convocation, 1603, and which were subsequently ratified by the King. They were also received, and passed, about two years after by the province of York. Not having the force of an Act of Parliament, they are binding on the clergy only.

cate, that either he is provided of some church within the said diocese, where he may attend the cure of souls, or of some minister's place vacant, either in the cathedral church of that diocese or in some other collegiate church therein, where he may execute his ministry; or that he is a fellow, or in right as a fellow, or to be a conduct or chaplain in some college in Cambridge or Oxford; or except he be a Master of Arts of five years' standing, that lives at his own charge in either of the Universities; or except by the bishop himself, that doth ordain him minister, he be shortly after to be admitted either to some benefice or curateship then void: and if any bishop shall admit any person into the ministry that hath none of these titles, then he shall keep and maintain him with all things necessary till he do prefer him to some ecclesiastical living; and if the said bishop shall refuse to do so, he shall be suspended by the archbishop, being assisted by another bishop, from giving orders for the space of a year." The method of examination is laid down by the canons, viz., that when the bishop intends to hold an ordination, all who are desirous to be admitted into the ministry are to appear on the fourth day before the ordination; and there the bishop is to appoint some of the priests attending him, and others skilled in the divine law, and exercised in the ecclesiastical sanctions, who shall diligently examine the life, age, and title of the persons to be ordained; at what place they had their education, whether they be well learned, and whether they be instructed in the law of God. By the 24th canon no bishop shall admit any person into holy orders who is not of his own diocese, except he be either of one of the Universities of this realm, or except he bring letters dimissory from the bishop of whose diocese he is. The persons to whom such letters may be granted are those who were born in the diocese, or are promoted, or are resident in it. In practice, however, they seem generally to be granted by the bishop in whose diocese the candidate is promoted, or where his title lies. The fitness of the person to be ordained as to life, learning, title, and the like, is to be ascertained by the bishop granting the letters dimissory. The 1st of Eliz. c. 1, and 1 Wm. and Mary, c. 8, require every person taking orders to take the oaths of allegiance and supremacy before the ordinary or commissary; and by 13 Eliz., c. 12, none shall be admitted to the order of deacon or minister unless he first subscribe the Thirty-nine Articles. The 36th canon further requires that every person, on being ordained, shall subscribe a declaration therein contained, acknowledging the King's supremacy; that the Book of Common Prayer, and of ordering of bishops, priests, and deacons, contains nothing contrary to the word of God; that it may be lawfully used; that he will use the form prescribed in it in public prayer, and in the administration of the sacrament, and none other; and that he allows the articles of religion to be agreeable to the word of God. The 24 Geo. III., c. 35, empowers the Bishop of London, or any other bishop appointed by him, to admit to the order of deacon or priest persons subjects of or citizens of other countries out of Her Majesty's dominions, without requiring them to take the oath of allegiance. But they are not to exercise their office within Her Majesty's dominions; and this exemption from taking the above oath is to be mentioned in their testimonial. The 31 Eliz., c. 6, enacts, that any person taking any reward or other profit, directly or

indirectly, for or to procure the ordaining or making of any minister, or giving of any orders, or license to preach, shall forfeit 40*l.*, and the person corruptly ordained 10*l.*; and if, at any time within seven years, such person accept any benefice or promotion ecclesiastical, the same shall be void immediately on his induction, investiture, or installation; and the patron shall present, or collate, or dispose of the same, as if he were dead.

The offices of priest and deacon differed much more in former times than at present. Anciently, the deacons seem to have performed the duties which at present devolve on the parish clerk, making the responses, and repeating the Confession, the Creed, and the Lord's Prayer, after the priest. In general, however, they now perform the same offices in the Liturgy as a priest, with the exception of pronouncing the absolution and administering the Lord's Supper; which latter is to be done only by a priest (13 and 14 Car. II., c. 4). The reason of deacons not being allowed to pronounce the absolution seems to depend rather on the form of ordination than the Rubric. The latter, indeed, directs that it shall be done by the priest alone; but the word priest is frequently used there as merely signifying the officiating minister. In the ordination, the authority given to the deacon is, "to read the Gospel and to preach;" while to the priest it is said—"Receive thou the Holy Ghost: whose sins thou dost forgive, they are forgiven; and whose sins thou dost retain, they are retained." Neither priests nor deacons are allowed to preach without license of the archbishop, or of the bishop of the diocese where they are placed, or one of the two Universities.

The form of service used by the Church of England is contained in the Book of Common Prayer, first established by the 2nd and 3rd of Edward VI., and ultimately by the Act of Charles II. already mentioned.

Divine service is not allowed to be performed, nor the sacrament administered, anywhere but in some church or chapel duly consecrated, though it is said the bishop may grant a licence for that purpose until consecration. He, too, performs the ceremony of consecration. No church or chapel, however, is allowed to be consecrated unless it be first sufficiently endowed.

II. *The Ecclesiastical Divisions* of England and Wales are provinces or archbishoprics, dioceses or bishoprics, archdeaconries, deaneries and parishes; each of which divisions has its functionaries, who preside over the functionaries of the inferior divisions; the King, as head of the church, presiding over all. The archbishops, of whom there are two, the Archbishop of Canterbury and the Archbishop of York, have under them, the former twenty, the latter five, bishops. The bishopries within the province of Canterbury are those of London, Rochester, Winchester, Norwich, Lincoln, Ely, Chichester, Salisbury, Exeter, Bath and Wells, Worcester, Coventry and Lichfield, Hereford, Gloucester and Bristol, Peterborough, Oxford, Llandaff, St. David's, Bangor, and St. Asaph. The bishopries within the province of York are, Durham, Chester, Carlisle, Ripon, and Sodor and Man. Each archbishop has also a diocese of his own, in which he has the same jurisdiction as an ordinary bishop. Each diocese is again divided into archdeaconries, of which there are at present about 60; each

archdeaconry into deaneries, and each deanery into parishes. No particular kind of revenue is due to bishops of common right, as it is to parsons. The possessions attached to the different sees differ in no way from lay possessions, and consist indifferently of lands or other property. With respect to these, the bishops are corporations sole. It is in right of their temporal possessions that they sit in Parliament.

For the management of ecclesiastical affairs the provinces have, or rather had, each a council, or convocation, as it is termed, consisting of the bishops, archdeacons, and deans, in person, and of a certain number of proctors, as the representatives of the inferior clergy. These councils had, at one time, the exclusive right of taxing their own body; but this was given up in 1664, since which they have almost entirely fallen into disuse. They still, however, continue to be summoned, as a matter of form, at the commencement of every parliament, and are prorogued from time to time, and dissolved much in the same manner as parliament.

Powers, Privileges, Election, &c., of Archbishops and Bishops.—The Archbishop of Canterbury is styled Primate and Metropolitan of all England; the Archbishop of York, Primate and Metropolitan of England only: the more extensive title of the former is said to be derived from the Pope having vested the Archbishop of Canterbury with a legatine authority over both provinces.

An archbishop is the chief of the clergy in his province, and has the inspection of its bishops and inferior clergy, and may deprive them on sufficient cause. He has also his own diocese, in which he exercises episcopal, as in his province he exercises archiepiscopal jurisdiction. Appeals are made to him from all inferior jurisdictions within his province, and from the consistory courts of each diocese to his archiepiscopal court. During the vacancy of any see in his province, he is guardian of its spiritualities, as the king is of the temporalities, and exercises all ecclesiastical jurisdiction therein. When an archiepiscopal see is vacant, the dean and chapter are the spiritual guardians, and have been so since the office of Prior of Canterbury was abolished at the Reformation. The archbishop is entitled to present by lapse to all ecclesiastical livings in the disposal of his diocesan bishops, if not filled within six months. And the archbishop has a customary prerogative, when he consecrates a bishop, to name a clerk or chaplain of his own, to be provided for by such suffragan; in lieu of which it is now usual for the bishop to make over by deed to his archbishop, his executors, and assigns, the next presentation of such dignity or benefice in the bishop's disposal within that see as the archbishop himself shall choose, which is, therefore, called his option. These options, however, are only binding on the bishop who grants them, and not on his successors. The Archbishop of Canterbury crowns the kings and queens regnant, and the Archbishop of York the queens consort, of the realm. The former has also, by statute 25 Henry VIII., c. 21, the power to grant dispensations in any case, not contrary to the Holy Scriptures and the law of God, where the Pope used formerly to grant them, which is the origin of his granting special licenses to marry at any place or time, to hold two livings, and so forth; and on this, also, is founded his right to confer degrees in prejudice of the two Universities.

The bishops have nearly the same jurisdiction within their dioceses that the archbishops have in their provinces. All bishops have chancellors to assist them in holding their courts, and in other matters of ecclesiastical law. These, as well as all other ecclesiastical officers, must, if lay and unmarried, be doctors of civil law. They have also a certain number of chaplains—the archbishops eight, and the bishops six each.

"An archbishop or bishop is elected by the chapter of his cathedral church, by virtue of a licence from the Crown, termed a *congé d'élire*. Election used to be, in very early times, the usual mode of elevation to the episcopal chair throughout Christendom, and was made promiscuously by the laity as well as clergy. The confusion which in consequence ensued, and a wish, no doubt, to aggrandise their power, early led the sovereigns to take the appointment in some measure into their own hands, by reserving to themselves a right of confirming the election, and of granting investiture of the temporalties, which now began almost universally to be annexed to the spiritual dignities. Without this confirmation and investiture, the elected bishop could neither be consecrated nor receive any secular profits. This right was acknowledged in the Emperor Charlemagne, in 773, by Pope Hadrian I. and the Council of Lateran; and is said to have been exercised by the kings of England as early as the Saxon times. In the course of time, however, the custom of making elections by the church having been fully established, the popes began to object to the method of granting these investitures, *per annulum et baculum*, that is, by the prince's delivering a ring and pastoral staff, or crosier; contending that this was an encroachment on the church's authority, and an attempt, by a delivery of these symbols, to confer a spiritual jurisdiction. Towards the close of the eleventh century, Pope Gregory VII. published a bull of excommunication against all princes who should dare to confer investitures and all prelates who should venture to receive them. Long and eager were the contests occasioned by this famous claim. At length, when the Emperor Henry V. agreed to remove all suspicion of encroachment on the spiritual character, by conferring investitures for the future *per sceptrum*, and not *per annulum et baculum*, and when the Kings of France and England consented to alter the forms in their kingdoms, and receive only homage from the bishops for their temporalities, instead of investing them by the ring and crosier, the Court of Rome found it prudent to suspend for a while its other pretensions.

"This concession was obtained in England from Henry I. by Archbishop Anselm; but, about a century afterwards, John, in order to obtain the support of the pope against his discontented barons, consented to give up by charter, to all the monasteries and cathedrals in the kingdom, the free right of electing their prelates, whether abbots or bishops: reserving only to the Crown the custody of the temporalties during the vacancy; the form of granting a licence to elect (the origin of the present *congé d'élire*), on refusal whereof the electors might proceed without it; and the right of approbation afterwards was not to be denied without a reasonable and lawful cause, as is expressly stated in Magna Charta. But at the Reformation, the stat. 25 Henry VIII. c. 20. restored the ancient right of nomination to the

Crown; it being enacted, that at every avoidance of a bishopric, the King may send to the dean and chapter his usual licence to proceed to election, which is always to be accompanied with a letter missive from the King, containing the name of the person he would have them to elect; and if the dean and chapter delay the election above twelve days, the nomination is to devolve on the King, who may by letters patent appoint such person as he pleases. This election or nomination, if it be of a bishop, must be signified by the King's letters patent to the archbishop of the province; if it be of an archbishop, to the other archbishop and to two bishops, or to four bishops; requiring them to confirm, invest, and consecrate the person so elected, which they are bound to do immediately, without any application to the see of Rome."* Certain forms are gone through at this election, but these are not of any general interest. After election and confirmation, the new bishop is invested with full power to exercise his spiritual jurisdiction; he is not, however, except in the case of translation from some other see, fully bishop until he has been consecrated—a ceremony, of which the form, with that observed at the ordination of priests and deacons, may be seen in the Book of Common Prayer. The oaths of allegiance and supremacy must, on the completion of the ceremony, be administered, together with an oath, in the case of a bishop, of obedience to the archbishop. Every newly-elected archbishop or bishop must do homage to the King before he is put in possession of the temporalties of his see or can sit in parliament.

Archbishoprics and bishoprics become void by death, by deprivation for any gross and notorious crime, and by resignation.

Magnitude and Emolument of Bishoprics.—The discrepancy that prevailed in ancient times in the size of bishoprics, though somewhat diminished by the erection of new ones at the Reformation, has always continued; and the inconveniences thence resulting have been greatly augmented by the wonderful increase that has taken place since 1760 in the population of certain districts compared with others. The following table gives a view of the population, parishes, &c., contained in each bishopric, as they existed on the 1st of May, 1831:—

Benefices, Parishes, Churches and Chapels, and Population of the several Dioceses in 1831.†

Diocese.	Number of Benefices.	Number of Parishes.	Churches and Chapels.	Population.	Diocese.	Number of Benefices.	Number of Parishes.	Churches and Chapels.	Population.
St. Asaph . .	160	139	143	191,156	Lichfield and Coventry	623	630	635	1,045,481
Bangor . . .	131	179	192	163,712	Lincoln . .	1,278	1,370	1,377	899,478
Bath and Wells	440	479	493	408,795	London . .	577	650	689	1,722,635
Bristol . . .	255	298	306	232,026	Norwich . .	1,076	1,178	1,210	670,133
Canterbury . .	343	369	374	405,372	Oxford . . .	203	207	217	140,710
Carlisle . . .	128	100	120	135,662	Peterborough .	395	395	398	194,339
Chester . . .	616	530	681	1,383,938	Rochester . .	93	107	111	191,873
Chichester . .	268	289	302	254,460	Salisbury . .	408	451	474	8 4,68
St. David's .	451	525	561	358,451	Winchester .	380	408	464	720,747
Durham. . .	175	140	214	469,183	Worcester . .	222	230	260	271,6 7
Ely	156	153	160	133,752	York . . .	628	741	876	1,4 6,538
Exeter . . .	697	681	711	795,416					
Gloucester . .	283	276	330	315,512	Total. .	10,533	11,077	11,925	13,927,197
Hereford . .	332	340	360	206,387					
Llandaff. . .	194	221	228	181,244					

* *Blackstone's Commentaries*, book i. cap. 11.

† This table is extracted from the Preliminary Remarks (p. 19) prefixed to the Census of 1831. It does not quite agree with the tables in the Report of the Commissioners of Ecclesiastical Inquiry, but the discrepancies are immaterial.

The nett revenue of the different sees, as returned to the Commissioners of Ecclesiastical Inquiry, at an average of the three years ending with 1831, amounted to 160,292*l.* a-year, distributed as follows:—

	£.		£.
Archbishop of Canterbury	19,182	Bishopric of Hereford	2,516
,, York	12,629	,, Llandaff	924
Bishopric of St. Asaph	6,301	,, Lichfield and Coventry	3,923
,, Bangor	4,464	,, Lincoln	4,542
,, Bath and Wells	5,946	,, London	13,929
,, Bristol	2,351	,, Norwich	5,395
,, Carlisle	2,213	,, Oxford	2,648
,, Chester	3,261	,, Peterborough	3,103
,, Chichester	4,229	,, Rochester	1,459
,, St. David's	1,897	,, Salisbury	3,939
,, Durham	19,066	,, Winchester	11,151
,, Ely	11,105	,, Worcester	6,569
,, Exeter	2,713	,, Sodor and Man	2,555
,, Gloucester	2,282		

It is seen from the last table that the revenues, as well as the territorial extent and population, of the different sees differed very widely; so much so, that while the Bishop of Durham had a nett revenue of from 18,000*l.* to 20,000*l.* a-year, the revenue of the see of Llandaff did not exceed from 900*l.* to 1,300*l.* a-year; and there are other instances in which the discrepancy is not much less striking. This difference was partly owing to circumstances connected with the original establishment of the various sees, and partly to the property attached to some having, from various causes, become in the course of time much more valuable than that attached to others.

But, however the inequalities referred to may have originated, it has long been felt that a new arrangement of the bishoprics, both as respects their territorial magnitude and their revenues, would be highly desirable; and such an arrangement is now in course of being effected. The Ecclesiastical Commissioners, appointed in 1834, recommended that two new bishoprics—those of Manchester and Ripon—should be formed in the principal manufacturing districts, chiefly out of territories included in the dioceses of York and Chester. They further recommended that, saving the rights of the (then) existing incumbents, the bishoprics of Gloucester and Bristol should be united, and the bishopric of Sodor and Man suppressed. The previous table shows, that at an average of the three years ending with 1831, the total nett revenue of the different sees amounted to 160,292*l.*, giving, had it been equally divided, an annual income of 5,925*l.* to each see. But though the differences in the incomes of the various sees were then much too great, it is right that the revenues of archbishops should exceed those of bishops, and it may also be proper to make reasonable distinctions in the revenues of the latter. Such appears to have been the view of this matter taken by the commissioners; and they consequently recommended, that according as opportunity offered sundry deductions should be made from the revenues of the sees of Canterbury, York, London, Durham, Winchester, &c.; and that the surplus revenue so arising should be formed into a fund for the endowment of the two new bishoprics, and for raising the income of the poorer class of sees to

from 4,000*l.* to 5,000*l.* a-year. These recommendations have since been confirmed and carried out in all their essential particulars by the Act 6 and 7 Will. IV. c. 77, and by the Orders in Council issued under its authority. The income of the Bishop of Durham was reduced in 1836, on the death of Dr. Van Mildert, to 8,000*l.* a-year. In the course of the same year Ripon was formed into a bishopric. The sees of Gloucester and Bristol have also been united; and it is proposed to unite the sees of Bangor and St. Asaph on the occurrence of the first vacancy in either. The formation of the bishopric of Manchester is to be delayed till this last-mentioned event takes place, that the total number of bishoprics may not be increased. The result of these arrangements is exhibited in the following table:—

Account showing the Gross and Nett Revenue produced by the different Archbishoprics and Bishoprics of England and Wales in 1843; *the Revenue that will be enjoyed by each Archbishop and Bishop under the Act* 6 & 7 *Will. IV., c.* 77, *when it takes effect; and the instances in which it has already (July,* 1846), *taken effect.*

Sees.	Income of Archbishopric and Bishoprics in 1843.		Income of Incumbent as regulated by Act 6 & 7 Will. IV., c. 77.	Sees in which the 6 & 7 Will. IV., c. 77, has taken effect.
	Gross.	Nett.		
	£.	£.	£.	
Canterbury	27,706	20,970	15,000	
York	20,142	19,065	10,000	
London	13,519	12,481	10,000	
Durham	22,416	16,792	8,000	Durham.
Winchester	11,599	9,104	7,000	
St. Asaph	8,085	5,749	5,200	
Bangor	7,467	5,211		
Bath and Wells	4,567	4,003	5,000	
Carlisle	2,477	1,585	4,500	
Chester	1,894	1,584	4,500	
Chichester	6,520	6,381	4,200	Chichester.
St. David's	4,753	4,077	4,500	St. David's.
Ely	6,487	3,686	5,500	Ely.
Exeter	1,032	342	5,000	
Gloucester and Bristol	5,226	3,990	5,000	
Hereford	5,936	5,042	4,200	Hereford.
Lichfield	(no return)		4,500	Lichfield.
Lincoln	5,610	4,639	5,000	
Llandaff	890	806	4,200	
Norwich	8,765	7,568	4,500	Norwich.
Oxford	2,507	1,601	5,000	
Peterborough	4,061	3,785	4,500	Peterborough.
Ripon	4,564	4,124	4,500	Ripon.
Rochester	1,102	794	5,000	Oxford.
Salisbury	12,879	12,142	5,000	Salisbury.
Worcester	7,295	4,674	5,000	Worcester
Manchester	..	..	4,500	

By far the largest part of the revenue of the bishops, as well as that of the deans and chapters (see *post*), is derived from land. The estates belonging to the church are mostly let on lives, on the system of fines. This makes the revenue of the different sees fluctuate from

year to year, according as a less or greater amount of fines is received, and has been a considerable difficulty in the way of the new arrangements. We have elsewhere pointed out the mischievous influence of the practice of letting land by fine. Indeed, the interests of the church, as well as those of the public, would be equally promoted by giving every facility to the conversion of leases for lives into leases for moderate terms of years at an equal rent.

Deans and Chapters.—The dean and chapter are usually said to be the council of the bishop. They form a body corporate, consisting of the dean, who is chief, and a certain number of canons or prebendaries, as the case may be. The possessions of the dean and chapter being, however, for the most part divided, the dean having a certain part in right of his deanery, and each of the prebendaries a certain part in right of their prebends, they form, in respect of their particular shares, corporations sole. The residue is held by the dean and chapter in their capacity of a corporation aggregate. In this capacity they also vote in the chapter. When the bishops dispersed the body of their clergy by appointing them to parochial cures, they appear to have reserved a college of priests or secular canons for their counsel and assistance, and for the constant celebration of divine offices in the mother or cathedral church; the principal of these obtained the name of *decanus*, or dean, probably, as Blackstone supposes, from his being at first appointed to superintend *ten* canons or prebendaries. By degrees, however, their dependence on the bishop became less and less, until the latter had little more power over them than the right of visitation, as at present, and even this in a very limited degree. The corporate character of the dean and chapter is of course derived from the Crown. Of the deans and chapters, some are said to be of old, some of new foundation. Deans of the old foundation come in by election of the chapter upon the King's *congé d'élire*, with the royal assent, and confirmation by the bishop, much in the same way as the bishops themselves; but, generally, deans of the new foundation come in by the King's letters patent, upon which they are instituted, and then installed upon a mandate, pursuant to such institution, and directed to the chapters. The chapter consists of canons, or prebendaries, sometimes appointed by the King, sometimes by the bishop, and sometimes elected by each other. The chapter, in a collegiate church, is more properly called a college, as at Westminster and Windsor, where there is no episcopal see. There may be a chapter without any dean, as the chapter of the collegiate church of Southwell; and grants by or to them are as effectual as other grants by dean and chapter. In the cathedral church of St. David's and Llandaff there are no deans, the bishop in each being the head of the chapter.

Every dean must be resident in his cathedral church four score and ten days, *conjunctim* or *divisim*, in every year, at the least; and must continue therein preaching the word of God, and keeping good hospitality, unless prevented by weighty and urgent causes, to be approved by the bishop, or in any other lawful sort dispensed with.

The estates and revenues belonging to some of the deans and chapters are very large. Thus the dean of Durham has a nett income, exclusive of the expense of servants, and of the establishment, of 4,800*l.*

a year, and the chapter of 32,160*l.*; the dean of Oxford has 3,113*l.*, and the chapter 14,736*l.*; the dean of Westminster has 2,979*l.*, and the chapter 17,566*l.*; and the revenues enjoyed by the deans and chapters of Windsor, Canterbury, Winchester, Worcester, and others, are also very large.

Table showing the Amount of the Revenue of the Cathedral and Collegiate Churches of England and Wales at an average of the Seven *Years ending with* 1834, *and its Appropriation.*—(2nd Report of Church Commissioners, p. 25.)

Deans and Chapters.	Total Annual Revenue.	Total Expenses of Establishment.	Total Sum to be divided among the Members of the Chapters.	Annual Revenue of Dean or other senior Officer.	Annual Revenue of each Prebend or Canon Residentiary.	Number of Prebends or Canons, exclusive of the Dean.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
Canterbury . .	15,463 17 5	5,632 19 1	9,830 18 4	1,634 16 4	683 0 8	12
York	2,307 12 1	. . .	2,307 12 1	461 10 5	461 10 5	4
St. Asaph . . .	2,374 14 1	1,121 13 7	1,453 0 6	103 15 9	103 15 9	13
Bangor. . . .	No revenues or establishment as a corporate body.					
Bath and Wells .	6,431 6 10	1,291 8 2	5,109 18 8	747 2 8	737 2 8	6
Bristol	4,481 13 11	1,106 15 2	3,3 2 18 9	8 0 14 9	415 7 4	6
Carlisle . . .	5,020 4 0	1,077 9 6	3,942 14 6	1,384 16 6	639 9 6	4
Chester. . . .	1,395 10 6	127 14 5	1,047 16 1	316 19 1	123 2 10	6
Chichester. . .	4,611 12 9	1,471 18 0	3,139 14 9	621 17 9	627 14 3	4
St. David's . .	1,361 11 8	202 14 8	1,153 17 0	193 2 10	193 2 10	5
Durham . . .	36,235 7 0	4,774 10 4	32,160 16 8	4,8.0 4 8	2,280 1 0	12
Ely.	7,685 16 6	1,267 9 11	6,418 6 7	1,337 13 11	632 11 7	8
Exeter	9,839 4 5	2,062 5 8	7,776 18 9	8 4 2 1	864 2 1	8
Gloucester. . .	4,317 16 7	1,2 0 5 2	4,0.7 11 5	1,051 17 11	495 18 11	6
Hereford . . .	4,823 14 4	714 15 4	3,523 19 0	543 8 4	306 2 1	5
Llandaff . . .	965 17 10	242 13 3	723 4 7	116 2 7	50 11 10	12
Lichfield . . .	1,673 4 0	330 0 0	1,343 4 0	235 17 0	176 4 6	6
Lincoln . . .	6,670 19 3	899 17 1	5,771 2 2	1,442 7 3	1,442 18 3	3
London . . .	9,480 8 11	1,330 11 3	8,169 17 8	2,042 9 5	2,042 9 5	3
Norwich . . .	9,001 15 3	2,439 1 3	6,562 14 0	1,681 18 0	911 9 4	6
Oxford	17,446 2 9	2,710 1 11	14,736 0 10	3,112 17 6	1,452 17 11	8
Peterborough. .	5,920 6 0	1,519 19 10	4,401 6 2	1,166 1 8	589 4 1	6
Rochester . . .	7,044 16 8	1,532 18 10	5,511 18 8	1,426 0 8	680 19 8	6
Salisbury . . .	4,532 10 8	971 12 2	3,560 18 6	856 16 6	500 13 8	6
Winchester . .	10,969 1 10	1,729 3 8	9,139 18 2	1,430 6 2	642 9 4	12
Windsor . . .	16,684 7 2	1,953 8 6	14,730 18 8	1,196 10 8	1,127 17 4	12
Worcester . . .	10,388 8 11	2,390 6 4	7,748 2 7	1,486 11 9	628 3 11	10
Westminster . .	24,543 13 0	5,987 17 2	17,555 15 10	2,978 18 10	1,214 14 9	12

It is apparent that very considerable reductions might be made in several of these establishments without in any degree impairing their real efficiency. This, also, is the opinion of the Church Commissioners, who state, that "the most important objects of these establishments may be secured and continued consistently with a reduction of the present cathedral preferments."—And, conformably to this statement, they recommend that various reductions should be made; and that the surplus revenue thence arising should be appropriated, partly to increase the smaller class of livings, and partly to endow churches and chapels in places where they are wanted.

Archdeacons.—The office of archdeacon is said to have originated about the end of the third century, when the bishops adopted the practice of choosing for their peculiar service some one of the deacons, who at that time merely assisted as servants in the performance of the divine rites. The one thus chosen was termed archdeacon; and being always about the bishop, and delegated to visit the more distant parts of the diocese, and to examine and report upon certain cases, he succeeded at length in establishing an independent jurisdiction. So early, indeed, as the beginning of the seventh century, the archdeacon appears to have possessed the chief care and inspection of the diocese. The division, however, of dioceses into archdeaconries, which took place in

England shortly after the Conquest, and the grants of particular powers, which the bishops were enabled to make under the charter of William the Conqueror, necessarily terminated their general jurisdiction over the whole diocese: to supply which the offices of vicar-general, official, and chancellor to the bishop were created.

Archdeacons are a very important class of church officers: their business is to examine candidates for holy orders, to make parochial circuits, and to see that the clergy within their jurisdiction do their duty. They have courts where they may inflict censures, suspend or excommunicate persons, prove wills, grant administrations, and hear ecclesiastical causes, subject to an appeal to the bishop. (See *ante*, p. 186.)

Archdeaconries are commonly given by bishops, who prefer to them by collation; but if an archdeaconry be in the gift of a layman, he presents to the bishop, who institutes in like manner as to an ordinary benefice. Archdeacons are ordered by the 13 and 14 Car. II., c. 4, to read the Common Prayer, and declare their assent thereto, in the same manner as other persons admitted to ecclesiastical benefices; and they must also subscribe the same before the ordinary: but the 13 Eliz., c. 12, does not oblige them to subscribe and read the Thirty-nine Articles; for though an archdeaconry be a benefice with cure, it does not come within the statute, which is held to apply only to such benefices with cure as have particular churches belonging to them.

The emoluments of the archdeacons are, for the most part, very inadequate. The Ecclesiastical Commissioners recommend that their incomes should be increased, and that greater efficiency should be given to the office. Their remuneration, such as it is, arises principally from small payments, made to them in their visitations, under the name of procurations, the amount of which has continued the same for several centuries. The total of their emoluments is, in most cases, not sufficient to defray the necessary expenses of their ordinary visitations, still less of their parochial circuits, the regular performance of which is the most essential of their duties. The Commissioners state that a stall in each cathedral should, where practicable, be applied to the purpose of making a better provision for this important office.

Deans and Deaneries.—There are several sorts of deans and deaneries. 1st, Those belonging to the ecclesiastical division of deaneries already mentioned, called rural deans, who originally ordered the ecclesiastical affairs within their deaneries and precincts, under the direction of the bishops or the archdeacons. These, however, had been disused in most dioceses; but it has of late been considered desirable to revive them. 2dly, The deans of cathedrals, already described, who have a chapter consisting of prebendaries, or canons, subordinate to the bishop, as a council assistant to him. The third species of deans are those of *peculiars*; that is, of particular parishes and churches, or rural districts that have jurisdiction within themselves, and are not under the ordinary of the diocese. There are several sorts of peculiars, as royal peculiars, archiepiscopal, and episcopal, peculiars, and those of deans and chapters, and the like. Deans of peculiars have sometimes jurisdiction and cure of souls, as the Dean of Battle, in Sussex, and sometimes jurisdiction only, as the Dean of the Arches, London.

Parsons, Vicars, &c.—Parsons, *Personæ ecclesiæ*, the most numerous and important order of men in the establishment, are the incumbents of parish churches, duly inducted, and intrusted with the cure of the souls of their parishioners. They are either rectors or vicars; the difference between them being, that the one is, of common right, entitled to all the tithes or tenths of the produce within his parish, while the other is entitled only to a certain portion. Both, however, discharge the same parochial duties, performing divine service in the church on Sundays, and other festivals, and officiating in christenings, marriages, and burials. It is their duty, also, to visit the sick in their parishes, and, if necessary, to read prayers and administer the sacrament to them. In some parishes there are neither rectors nor vicars; in others, again, from their having other ecclesiastical preferment or avocations, they are unable to reside. In these, their duties are performed by curates.

Tithes.—The custom of paying tithes for the support of the clergy was, no doubt, derived from the Levitical law, and was probably introduced into England as early as Christianity itself. But it did not exist, as a civil right, until the latter end of the eighth century, when Offa, king of Mercia, made a law giving to the church all the tithes of his kingdom. This law was extended, about sixty years after, by Ethelwulph, over the whole of England. For centuries afterwards, however, it was customary for the landowners to pay their tithes to whatever clergyman they pleased; and so it continued until after the Conquest, when the appropriation of the tithes of each particular parish for the support of the incumbent of the parish church is generally said to have taken place; the lords of manors founding churches, and endowing them with the tithes of the lands within their manors. Hence it is, according to some, that parishes and manors are at this day usually found co-extensive. Perhaps, however, it is a more probable conjecture, that the Normans found parishes already existing, and, in granting manors, adopted them as convenient well-known divisions. This also seems in some measure confirmed by the fact, that though manors sometimes extend over several parishes, they never run into each other. In some parishes, the tithes of a particular district are payable to the rector of another parish, which is explained by the circumstance just mentioned, viz., that in manors extending over several parishes, it was at the option of the lord to apportion the payment of the tithes in what manner he pleased. This settlement, however, did not proceed without interruption. In many parishes, the religious societies who had established themselves in various parts of the kingdom, procured the tithes to be appropriated to their own houses; undertaking themselves to provide for the performance of all the ecclesiastical duties, which they usually did by means of some of their own members. The extent to which this was carried gave rise to several decrees, by Otho and other popes, forbidding appropriations to be made in future without setting apart some portion of the tithes for the maintenance of a curate to perform the necessary parochial duties. The ingenuity of the monks, however, successfully evaded these decrees. They pretended that they held these appropriations, not for their own worldly advantage, but as trustees only for godly and pious purposes—to defray the expenses of a pil-

grimage, for the purposes of hospitality, or for the relief of the poor; and, under these pretexts, they continued to be appropriated to them as before. At length parliament found it necessary to interfere; and, by stat. 15 Rich. II., c. 6, it was enacted, that on every appropriation of any parish church, a vicar should be well and sufficiently endowed; and, by stat. 4 Hen. IV., c. 12, that "from thenceforth, in every church appropriated, there should be a secular person ordained vicar-perpetual, canonically instituted and inducted, and properly endowed, by the discretion of the ordinary, to do divine service, and to inform the people, and to keep hospitality there; and no religious were in any wise to be made vicar in any church appropriated." The usual method of apportioning the tithes under these acts was by giving the tithes of corn, wood, and hay, or the great tithes, as they were termed, to the rector, and the others, or the small tithes, to the vicar: but the rule varied; and, in some parishes, a portion of the great tithes was also given to the vicar. As these acts, however, applied only to subsequent appropriations, all parishes in which the tithes had been previously appropriated remained as before; and in some instances the practice seems, under various pretences, to have continued even after the passing of these acts; whence it is that we find many parishes at this day without either rector or vicar, these being commonly known by the name of perpetual curacies.

Another interruption to the settlement of tithes was the practice adopted by the religious bodies of procuring from the Pope exemptions of the lands they held from their payment. Four of the orders, namely, the Cistercians, Templars, Hospitallers, and Premonstratenses, had a general exemption; the others obtained one as often as they found it necessary. But these appropriations and exemptions, being given only to the religious houses, must necessarily, but for the interference of parliament, have ceased when the latter were suppressed at the Reformation. To prevent this, a clause was inserted in the acts transferring their possessions to Henry VIII., to the effect that he should enjoy them as amply and beneficially as they had been previously enjoyed by the abbots and priors. The possessions thus acquired by the Crown being afterwards granted out to subjects, tithes, as well as lands exempted from the payment of tithes, got into the hands of laymen, and so continue down to the present time. When this is the case there is both a rector and vicar in the same parish; the former possessing the great or rectorial, the latter the small or vicarial tithes; the rector, however, has nothing to do with the spiritual part of the office, which is entirely performed by the vicar. Until the act 2 and 3 Will. IV., which limits the time for prescription, it was necessary for all claiming exemption from payment of tithes, or, in the language of the law, a "prescription *de non decimando*," to show that the lands for which they claimed such exemption had belonged to one of the privileged orders. Another and more legitimate method of exempting lands from the payment of tithes, was either by commuting the tithe for some fixed money payment, called a *modus decimandi*, vulgarly a modus, or by some composition, as giving up to the rector or incumbent of the parish a portion of land, on condition that the remainder

should be exempted. The consent, however, of the patron and ordinary was necessary for the validity of these arrangements.

Table classing the Appropriations and Impropriations; showing the Number possessed by each Class, and the Number of Cases in each Diocese in which the Vicarage is partly or wholly endowed with the Great Tithes.

Dioceses.	Crown.	Archbishops and Bishops.	Deans and Chapters or Ecclesiastical Corporations Aggregate.	Dignitaries and other Ecclesiastical Corporations Sole.	Universities, Colleges, and Hospitals.	Private Owners.	Municipal Corporations.	Vicarages partly endowed.	Vicarages wholly endowed.
St. Asaph	..	12	10	8	..	27	..	1	..
Bangor	..	11	7	7	..	29	..	3	..
Bath and Wells	1	9	27	96	..	105	4	5	8
Bristol	..	1	16	11	2	48	2	2	3
Canterbury	..	46	46	12	3	49	1	2	7
Carlisle	..	8	30	3	2	28	..	3	1
Chester	2	21	23	5	15	113	..	6	3
Chichester	..	7	11	16	5	67	..	3	12
St. David's	1	13	20	49	4	124	2	13	4
Durham	1	7	28	7	13	61	1	6	3
Ely	..	10	26	..	12	37	..	2	1
Exeter	2	5	61	23	4	156	7	9	11
Gloucester	2	14	32	2	3	54	1	1	5
Hereford	..	20	25	11	12	80	..	11	14
Lichfield and Coventry	1	8	20	49	5	249	4	9	10
Lincoln	3	39	48	36	31	347	3	12	8
Llandaff	1	10	30	9	4	45	2	3	6
London	1	13	26	16	16	144	1	3	4
Norwich	1	47	48	2	22	197	2	7	14
Oxford	..	7	18	5	27	36	..	4	..
Peterborough	..	8	10	1	6	65	..	..	1
Rochester	1	3	13	1	4	21	..	1	..
Salisbury	1	6	27	23	21	93	2	3	3
Winchester	..	3	3	16	21	73	..	6	3
Worcester	3	4	25	3	3	43	3	3	3
York	7	40	52	79	26	265	1	2	3
Sodor and Man	3	6	..	..	..	1	..	1	1
Total	38	385	702	488	291	2,552	43	121	138

The number of vicarages of which the impropriations have not been returned to the Commissioners, is 223. Where the impropriation and appropriation of the great tithes is shared between owners of different classes, it is included under each class.

There are some few cases of rectories in which the rector has only a portion of the great tithes, the remainder being the property of a spiritual person or body, or of a lay-impropriator; and in Jersey and Guernsey the benefices are merely nominal rectories, the incumbent not being entitled in any case to more than a portion (generally one-third) of the great tithes, the crown or governor taking the residue; and in some cases the whole goes to the crown or governor.

The following table, founded on the returns under the Property-tax Act, in 1810, exhibits the then annual value of the land, in the different counties of England and Wales, specifying the value of the portions that were tithe-free, titheable, tithe-free in part, and free on payment of a modus. (See page 269.)

Commutation of Tithes.—The providing for the clergy by means of tithes, has, in modern times, been greatly objected to. Nothing, indeed, has done so much to weaken the influence of that body in England, and to diminish their usefulness, as the unseemly contests in which they have been necessarily involved with their parishioners on the subject of tithes; and it has too often happened that a clergyman's popularity has depended more on his indulgence in this particular, or on his readiness or ability to sacrifice a portion of his own just claims, than on the purity of his life and the soundness of his doctrines. Tithes have, also, formed a very serious obstacle to agricultural improvement. In this respect they have had a much greater practical influence than might seem, to a superficial observer, to belong to them. By preventing the cultivators from reaping the entire advantage of superior skill and industry, they have discouraged

Table exhibiting the Value of Land in England and Wales Tithe-free, Titheable, &c.

Counties.	Tithe-free.			Titheable.			Tithe-free in part.			On Payment of Modus.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Bedford	186,589	6	3	85,031	13	9	524	5	0	475	15	0
Berks	88,441	3	0	316,709	10	9	..			..		
Bucks	303,920	8	8	182,202	14	11	12,554	15	0	..		
Cambridge	107,045	19	10	342,719	12	9	2,515	0	0	935	0	0
Chester	28,412	9	4	646,865	6	8	1,236	15	0	849	7	4
Cornwall	2,153	10	0	561,846	3	0	510	0	0	1,963	3	0
Cumberland	69,094	0	6	312,645	10	8	71,759	7	6	15,751	10	0
Derby	230,528	15	3	310,149	7	3	78,739	13	0	2,275	17	0
Devon	28,917	17	11	1,181,142	2	5	4,967	0	0	2,520	0	0
Dorset	48,853	17	4	436,642	11	10	545	0	0	2,984	0	0
Durham	143,073	9	0	358,441	7	3	3,269	10	9	1,278	15	0
Essex	72,796	19	0	826,784	12	5	1,708	0	0	3,236	0	0
Gloucester	254,446	7	4	545,562	8	7	..			5,124	11	0
Hereford	21,340	3	4	432,267	9	0	..			..		
Hertford	76,150	10	0	264,616	16	7	1,483	13	4	100	0	0
Huntingdon	119,176	14	10	56,367	8	10	16,895	4	0	11,637	0	6
Kent	11,290	5	6	849,040	19	8	7 857	6	0	..		
Lancaster	129,313	17	2	1,131,425	15	10	2,643	5	0	6,962	0	0
Leicester	488,076	5	4	173,528	15	1	18,514	5	10	22,282	18	2
Lincoln	938,093	11	6	499,009	1	7	107,729	7	3	37,108	10	6
Middlesex	80,594	14	8	264,372	17	8	1,120	0	0	..		
Norfolk	103,944	7	6	823,218	3	8	4,270	0	6	410	0	0
Northampton	560,556	17	9	114,097	15	11	13,070	17	9	8,911	9	7
Northumberland	293,057	2	5	433,037	13	7	129,897	15	4	50,797	0	0
Nottingham	340,163	3	2	183,548	0	0	4,036	0	0	7,254	0	0
Oxford	275,140	6	1	219,105	14	7	2,057	0	0	1,322	0	0
Rutland	63,316	1	1	15,148	16	8	20,149	17	4	560	0	0
Salop	92,327	12	9	639,150	9	6	4,200	0	0	2,817	6	0
Somerset	54,316	6	6	1,296,577	6	0	4,214	5	0	..		
Southampton	25,582	9	3	568,437	11	0	..			..		
Stafford	139,442	16	4	617,192	9	0	..			..		
Suffolk	60,425	14	0	624,253	16	0	6,486	2	0	2,912	10	0
Surrey	55,530	18	11	300,564	6	2¾	3,746	5	0	10,900	0	0
Sussex	54,109	3	5	410,256	7	1	13,506	14	11	72,077	16	8
Warwick	280,103	6	9¼	209,214	9	10¼	112,097	7	11	44,724	5	10
Westminster	2,032	0	0	1,023	0	0	..			..		
Westmoreland	107,185	3	10	81,724	4	3	10,658	8	0	21,988	10	3
Wilts	218,674	13	2	562,160	15	6	21,004	1	5	8,788	6	11
Worcester	149,277	8	8	363,728	1	1	1,276	12	0	1,921	3	0
York	1,424,883	11	7	1,410,020	5	3	170,849	17	4	105,864	15	11
Anglesey	45,354	11	2	19,767	0	0	..			..		
Brecon	738	0	0	107,708	7	2	..			..		
Cardigan	288	0	0	101,262	2	8	..			..		
Caermarthen	151	6	0	224,001	7	2	..			..		
Caernarvon	88,075	17	1	2,772	9	10	..			..		
Denbigh	..			182,674	0	5	..			..		
Flint	..			118,615	0	4	..			..		
Glamorgan	1,637	13	4	165,689	14	9	..			43,433	1	4
Merioneth	272	0	0	93,179	10	9	..			..		
Monmouth	30,131	0	0	173,445	1	0	..			..		
Montgomery	2,745	0	0	149,258	8	0	..			5	0	0
Pembroke	4,370	15	4	156,246	11	5	..			..		
Radnor	2,235	6	6	86,015	12	4	..			..		
Total	7,904,378	17	4¼	20,217,466	17	7¼	856,183	12	2	498,823	3	4

their efforts, and contributed to render them indolent and indifferent. An occupier of land, if he be a dissenter, is especially indisposed to benefit the church by setting about any improvement in which it must participate so largely. But, independently altogether of this, it is clear, that the subjecting of land to so heavy a tax as a *tenth part of the gross produce*, without any deduction for any part of the expense incurred in cultivation, must be a very great discouragement to the outlay of capital upon it. All agricultural authorities admit that the influence of tithe has been in this way most pernicious. Dr. Paley, who cannot

be suspected of favouring any opinion adverse to the real interests of the church, has not hesitated to say that, "*Of all institutions, adverse to cultivation and improvement, none is so noxious as that of tithes.* A claimant," he continues, "here enters into the produce, who contributed no assistance whatever to the production. When years, perhaps, of care and toil have matured an improvement; when the husbandman sees new crops ripening to his skill and industry; the moment he is ready to put his sickle to the grain, he finds himself compelled to divide his harvest with a stranger. Tithes are a tax, not only upon industry, but upon that industry which feeds mankind; upon that species of exertion which it is the object of all wise laws to cherish and promote."—(*Moral Philosophy*, cap. xi.)

In consequence of the growing prevalence of these opinions, the attention of the public, and of government, has been more and more directed to a commutation of tithe. Various plans for bringing this about have been proposed at different times; and owing to the difficulty of the subject, and the conflicting interests it involves, it was impossible, perhaps, to suggest any scheme that should be in all respects unobjectionable. It was essential that, however effected, the commutation, when once made, should be final, and unsusceptible of farther modification. Unless this had been the case, the principal benefit to be derived from it—the giving full scope to improvement, and to the outlay of capital on the land—would not have been attained. It was necessary, too, in effecting a commutation, that provision should be made, in so far at least as that was practicable, for protecting the clergy against the loss or diminution of their incomes, by any fall in the value of money. These different objects seem to be pretty well accomplished by the Act 6 and 7 Will. IV., c. 71, for the commutation of tithe. According to its provisions, the average value of the tithes in each parish, during the seven years ending with 1835, is to be ascertained and distributed into equivalent quantities of wheat, barley, and oats; and the clergy are to be entitled to get the value of these quantities in all time to come, according to the current prices of the day. By this means they will be liable only to fluctuations in the value of corn; and to these they would have been liable, though no commutation had been effected. Commissioners were appointed under the Act to carry it into execution, and the commutation has now been nearly effected.*

Admission of Parsons.—Endowed parochial churches or benefices, as they are termed, whether having rectors or vicars, are of three sorts —presentative, collative, and donative. To the due admission of a clerk to a presentative benefice, three things are necessary,—presentation, institution, and induction. Presentation is the offering a clerk to the ordinary, whose duty it is to examine into the ability and sufficiency of the person so presented, and to ascertain that he is of the proper age, and in priest's orders. The usual oaths of allegiance, supremacy, and canonical obedience, are then administered; and he is required to subscribe the Thirty-nine Articles, as well as three others required by the 36th Canon, acknowledging the King's supremacy, the correctness of

* For a discussion of the question as to the influence of tithes on prices, rent, &c., and for some remarks on the operation of the Commutation Act, see the Treatise on Taxation by the author of this work, pp. 174–187.

the Book of Common Prayer, and of the Thirty-nine Articles; together with a declaration of conformity with the liturgy of the Church of England. This being done, the ordinary admits him in the usual form. When the bishop has instituted the clerk, he issues a mandate to the archdeacon, from whom another issues to some clergyman to induct; for, till this be done, he is not a complete parson. By the institution he is admitted, *ad officium*, to perform the spiritual functions; but he is not entitled *ad beneficium* to the temporalities of the living, until formally inducted.

The 13 Eliz. c. 12, and the 13 and 14 Car. II., c. 4, order that every person admitted to any benefice shall, within two months after his promotion, publicly read the Thirty-nine Articles and the Common Prayer, and declare his assent thereto; and in the event of his failing to do this, his benefice is declared to be *ipso facto* void. In the latter case, indeed, he is also deprived of all other church preferment he may have. Finally, the incumbent must, within six months after his admission, take the oaths of allegiance and supremacy in one of the courts at Westminster, or at the general quarter sessions of the peace, on pain of being incapacitated to hold his benefice, and other disabilities, and of being subject to a penalty of 500*l.*

It sometimes happens that the right of presentation to a living is in one person, and the right of nomination in another. In this case, the person who has the presentation is bound to present to the bishop such individual only as the person having the nomination may appoint. Collative benefices are, where the right of presentation is in the bishop; and in these all that is necessary to put the clerk in possession of his benefice is institution and induction. Where the benefice is donative, possession is given by the mere donation of the patron in writing, without presentation, institution, or induction.

The *advowson*, or right of presentation, donation, or whatever it may be, originally belonged to the founder of the church; and at this day by far the largest portion of church patronage is vested in lay proprietors. The rest is held partly by the Crown, which came, at the Reformation, into possession of the patronage which had previously belonged to the monasteries; and partly by archbishops and bishops, deans and chapters, dignitaries, and other ecclesiastical corporations sole, universities, colleges, &c., and municipal corporations. The distribution of the patronage in each diocese is exhibited in the following table. (See page 272.)

In the disposal of Crown livings, the chancellor usually presents to all of the value of 20*l.* per annum, or under, in what is called the King's book, containing a survey of all ecclesiastical livings in England made in the 20 Hen. VIII. The disposition of livings above this value, as well as all other church patronage, is understood to rest with the premier and the King himself. The 36 Eliz. c. 6, for the prevention of simony, declares all presentations to any benefice, with cure of souls, made for any sum of money, reward, gift, profit, or benefit whatsoever, void and of no effect in law.

Residence of the Clergy.—By the canon as well as the common law, the incumbent of every benefice is under the obligation of residing;

Table exhibiting the Distribution of the Patronage of Benefices in England and Wales.

Dioceses.	Crown.	Archbishops and Bishops.	Deans and Chapters, or Ecclesiastical Corporations Aggregate.	Dignitaries and other Ecclesiastical Corporations Sole.	Universities, Colleges, and Hospitals, not Ecclesiastical.	Private Owners.	Municipal Corporations.
St. Asaph	2	120	..	2	1	19	..
Bangor	6	78	1	7	3	29	..
Bath and Wells	21	29	39	103	23	224	4
Bristol	12	15	11	42	14	159	10
Canterbury	18	148	36	36	14	87	2
Carlisle	4	20	27	19	3	54	..
Chester	26	34	34	227	13	299	6
Chichester	19	31	21	49	15	130	..
St. David's	63	102	16	61	12	159	..
Durham	12	45	36	28	4	66	..
Ely	2	31	21	13	46	39	..
Exeter	63	44	69	117	11	309	5
Gloucester	29	30	35	40	26	133	3
Hereford	26	36	26	54	11	179	..
Lichfield and Coventry	53	18	10	122	6	391	5
Lincoln	156	73	63	177	102	688	..
Llandaff	14	6	28	19	7	118	..
London	75	86	58	105	68	277	..
Norwich	95	85	47	124	86	596	13
Oxford	12	13	29	16	59	78	..
Peterborough	31	18	12	40	32	171	..
Rochester	10	15	17	8	4	44	..
Salisbury	35	39	44	67	60	154	..
Winchester	30	53	15	79	53	197	..
Worcester	20	14	38	39	15	98	..
York	103	57	61	257	33	397	5
Sodor and Man	15	8	..	..	..	1	..
Total	952	1,248	787	4,851	721	5,096	53

N.B. This table is not quite accurate. It includes only the patronage returned to the Ecclesiastical Commissioners; and there were 178 non-returns, and 86 returns that omitted the patronage. When the patronage is divided among different classes of patrons, it is included under each; so that the total number of patrons will not exactly agree with the total number of benefices.

and by stat. 57 Geo. III. c. 99, persons wilfully absenting themselves from their benefices, for more than three months together in the year, incurred a penalty of one-third of the proceeds; if for six months, one-half, and so on in proportion; to be recovered by the bishop by sequestration, and to be appropriated to the augmentation of Queen Anne's bounty. Chaplains to the King, and other persons of rank mentioned in the Act were exempted during their attendance in the households of such as retained them; as were all heads of houses, magistrates, and professors in the universities, and all students under forty years of age, residing there *bonâ fide* for study. The obstacles to non-residence have, however, been materially increased by the statute 1 and 2 Vict. c. 106, the latest enactment on the subject. Legal residence is not only in the parish, but in the parsonage-house, if there be one. Provision is made by the statute 17 Geo. III., c. 53, for raising money upon ecclesiastical benefices, to be paid off by annually decreasing instalments; and to be expended in building, rebuilding, or repairing the houses belonging to such benefices.

But, notwithstanding the obstacles that have been thus thrown in the way of non-residence, and its unpopularity, as well as that of the

twin practice of pluralities, they still prevail to a very great extent. According to the official return, (Parliamentary Paper, No. 235, Sess. 1846,) there were, of a grand total of 11,127 benefices in England and Wales, in 1844, 7,246 which had resident incumbents, and 3,454 of which the incumbents were non-resident; but of the latter 1,061 are reported to have been doing duty; so that it would seem that no fewer than 2,393 incumbents, or more than one-fifth part of the total number were non-resident, without doing any duty! The return comprises 427 benefices vacant, and from which no report had been obtained.

This certainly is a most undesirable state of things; but it may be doubted whether it can be very materially changed without the augmentation or suppression of a large number of the smaller class of livings. If a living be insufficient for the support of a resident clergyman, it is plain the parish must either be entirely without the services of a parson, or he must be allowed to eke out his revenue by holding some other preferment or living, which must consequently engross a greater or less portion of his time. Now, this is really the case with a very considerable number of livings in the Church of England. It appears that, in 1834, of 10,478 benefices, from which returns had then been received, 297 were under 50*l.* a-year; 1,629 between 50*l.* and 100*l.* a-year; and 1,602 between 100*l.* and 150*l.* a-year; so that there were 1,926 benefices under 100*l.* a-year, and 3,528, or more than a third of all the benefices in the country, under 150*l.* a-year! So late as 1844, there were no glebe-houses on above 3,000 benefices, and many did not possess the means of erecting any. Were the spiritual duties of the poorest of these livings not performed by the clergymen of the neighbouring parishes, it is difficult to see how they could be performed at all. Some of these benefices are very populous: in 1831, 13 contained each a population of more than 10,000; 51, a population of from 5,000 to 10,000; and 251, a population of between 2,500 and 5,000! It is most desirable that there should be a resident clergyman on each of these benefices; or, at least, on all those that have a population of 700 or 800, or upwards. This, however, could not in many instances be accomplished otherwise than by the augmentation of the livings; and the Ecclesiastical Commissioners stated that 235,000*l.* a-year would be required to raise them universally to sums varying from a *minimum* of 200*l.* to a *maximum* stipend of 400*l.* a-year. (See Second Report of Church Commissioners, p. 15.)

But, while so many parishes are unprovided with the means of religious instruction, it appears that there were in the establishment, in 1834, no fewer than 70 sinecure rectories. Of these, nearly half were in the patronage of the Crown or of ecclesiastical corporations; and these, the Commissioners proposed should be suppressed, and their revenues applied to the making more effectual provision for the cure of souls.

Since 1842 the Ecclesiastical Commissioners have been endeavouring to obviate some of the defects they had set in so striking a light, by applying a portion of the funds at their disposal to the augmentation of the smaller livings. Of these they had augmented, previously to the 1st of May, 1844, 496, as follows, viz.:—

Number of Livings.	Incomes raised to	Annual Augmentation.	Population of Livings
	£.	£.	
261	150	16,722	2,000 and upwards.
96	120	4,374	1,000 ,,
80	100	3,253	500 ,,
59	80	1,430	500 ,,
496	..	25,779	..

A person may cease to be a parson or vicar, 1.—By death. 2.—By cession on taking another benefice; for, by the Act 21 Henry VIII., cap. 13, if any one having a benefice of 8*l.* per annum or upwards (according to the valuation in the King's books) accept any other, the first shall be adjudged void, unless he obtain a dispensation, which no one is entitled to have but the chaplains of the King and others therein mentioned, the brethren and sons of lords and knights, and doctors and bachelors of divinity and law, admitted by the universities: a vacancy thus made for want of a dispensation is called cession. 3.—By consecration; for, as previously mentioned, when a clerk is promoted to a bishopric, all his other preferments become void. There was, however, a method, by the favour of the Crown, of holding such livings *in commendam*. *Commenda*, or *ecclesia commendata*, being a living commended by the Crown to the care of a clerk to hold till a proper pastor be provided for it. This may be temporary for one, two, or three years, or perpetual, being a kind of dispensation to avoid the vacancy of the living, and is called a *commenda retinere*. There is also a *commenda recipere*, which is to take a benefice *de novo*, in the bishop's own gift, or the gift of some other patron; and this is the same to him as institution and induction are to another clerk; but, by the recent regulations, the practice of holding of livings *in commendam* is to be abolished. 4.—By resignation; but this is of no avail till accepted by the ordinary, into whose hands the resignation must be made. 5.—By deprivation: either, first, by sentence declaratory in the ecclesiastical courts, for fit and sufficient causes allowed by the common law, such as attainder of treason or felony, or conviction of other infamous crime in the King's courts; for heresy, infidelity, gross immorality and the like: or, secondly, in pursance of divers penal statutes, which declare the benefice void for some nonfeasance or neglect; or else some malfeasance or crime, as for simony, for maintaining any doctrine in derogation of the King's supremacy or the Thirty-nine Articles, or of the Book of Common Prayer; for neglecting after institution to read the liturgy and articles in the church, or make the declarations against popery, or take the abjuration oath; for using any other form of prayer than the liturgy of the Church of England; or for absenting himself sixty days in one year from a benefice belonging to a popish patron, to which the clerk was presented by either of the universities; in all which and similar cases the benefice is *ipso facto* void, without any formal sentence of deprivation.—(*Blackstone*, Book I., cap. 11.) And by the Act 57 Geo. III., c. 99, if a

benefice be under sequestration for two years for non-residence it may be declared void by the bishop.

Curates.—Curates are the lowest order of the clergy. They are either perpetual or stipendiary, and are appointed to their cures by mere nomination in writing. They must, however, be in orders and licensed by the bishop of the diocese. It is necessary for them to take for the most part the same oaths, and to make the same declarations, on being appointed to their curacies, as rectors and vicars on admission to their benefices. Stipendiary curates are such as are appointed by the non-resident, and, indeed, in some cases by the resident, incumbents, to officiate at their parish churches in their stead, and their duties consequently are much the same. As their name implies, stipendiary curates are paid by a salary allowed by the person appointing them, which, by the 57 Geo. III., c. 99, should in no case be less than 80*l.* per annum; and where the population of the parish amounts to 500, 150*l.*; provided the income of the benefice itself amounts to that sum, and the incumbent was admitted after 20th July, 1813. The bishop, however, may dispense with salaries of that amount, should circumstances render it advisable. And we are sorry to have to state that it appears from the Parl. Paper (No. 235, Sess. 1846,) already referred to, that, in 1844, of a total number of 4,770 curates, the salaries of no fewer than 1,558 were below 80*l.* a-year. It is the duty of the bishop to see that all churches are duly served within his diocese; and if a curate be not appointed, he may appoint one, or compel the incumbent to do so by the provisions of this Act. Perpetual curates are such as are appointed to the churches of those parishes in which, as already mentioned, the tithes were appropriated to some monastery before the statute 4 Henry IV., making it necessary to endow a vicar, or which had, from some cause or other, escaped its operation; or they are such as officiate in some chapel. Chapels are of three kinds:—1, chapels of ease; 2, parochial or district chapels; and 3, free chapels. Chapels of ease and parochial chapels are those in which divine service is performed for the convenience of the inhabitants of some particular hamlet within a parish at a distance from the parish church. The only difference between them seems to be that the latter perform some of the rites more particularly belonging to a parish church, being allowed a font, sacraments, and burials, whence their name parochial, while such as are strictly chapels of ease can perform the divine service only. In both, however, it is usual for a reservation to be made for the inhabitants of the township which has the chapel to contribute to the repairs of the parish church, in order to preserve the subordination. When parishes have been united in consequence of their poverty, or from other reasons, the church of one only of the united parishes thenceforth becomes the mother church of the whole union: the others may be considered as perpetual curacies. In these the curates are usually paid by some fixed payment, or by a portion of the tithes appropriated for their maintenance at the foundation of the chapel. Curates, however, with exception of these, who appear even after the union to retain the corporate character of the previous rector or vicar, and curates of such chapels as have been augmented by Queen Anne's bounty, have no corporate character, and, in consequence, have not, like an ecclesiastical rector and vicar,

any freehold interest in their endowments. To erect a chapel, the consent of the ordinary, the patron, and incumbent of the living in which it is erected, is necessary. The nomination of the curate belongs, of common right, to the incumbent of the mother church; but this, of course, may be otherwise stipulated for on the foundation. Free chapels are said to be such as have been raised for the King's private use at his country residences; and are so called from being in general exempted from the jurisdiction of the ordinary, though in some spiritual matters, as in the appointment of curates to serve in them, they are, by Act of Parliament, subject to his regulations.

Incomes of the Clergy.—A great many conflicting statements have been put forth, and much misrepresentation indulged in, with respect to the income of the clergy: but the truth has been at length pretty well ascertained, by the investigations set on foot by the Commissioners for inquiring into Ecclesiastical Revenues. Returns obtained through their intervention from nearly all the benefices in England and Wales, show the gross and nett income of each, at an average of the three years ending with 1831; and show, further, the names of the incumbent and patron, the number of churches and chapels, and the extent of church accommodation in each benefice, the number of curates employed, and the stipends paid to each, with a variety of other particulars. These returns, with those relating to bishoprics, deans and chapters, make a large folio volume of about 1,000 pages. The following table contains a summary view of the number and incomes of the incumbents and curates in each diocese:—

Table of Benefices, exhibiting the Gross and Nett Incomes of the Incumbents in each Diocese, with the Number of Curates and their Average Stipends.

Dioceses.	Number of Benefices in each Diocese returned to the Commissioners, including sinecure Rectories, but exclusive of Benefices annexed to other Preferments.	Aggregate Amount of the Gross Incomes of Incumbents in each Diocese, exclusive, as before mentioned.	Average Gross Income.	Aggregate Amount of the Nett Incomes of Incumbents in each Diocese, exclusive, as before mentioned.	Average Nett Income.	Number of Curates in each Diocese.	Amount of Stipends of Curates in each Diocese.	Average of Stipends	Number of Benefices in each Diocese not returned to the Commissioners.
		£.	£.	£.	£.		£.	£.	
St. Asaph	143	42,592	297	38,840	271	48	3,564	82	2
Bangor	123	35,064	285	31,061	252	61	4,723	77	..
Bath and Wells	480	120,310	281	109,397	256	229	18,578	81	13
Bristol	253	77,056	304	71,397	282	133	10,668	80	8
Canterbury	346	123,946	353	110,050	318	174	14,656	84	2
Carlisle	124	22,487	181	21,777	175	44	3,684	83	3
Chester	630	169,495	269	159,372	253	266	23,239	87	4
Chichester	267	82,673	309	75,523	282	121	9,440	78	3
St. David's	409	60,653	148	56,317	137	206	11,464	55	7
Durham	192	74,457	387	67,639	352	100	1,556	85	2
Ely	150	56,495	376	53,000	353	75	6,583	87	2
Exeter	618	194,181	316	174,275	284	323	28,759	89	16
Gloucester	283	81,552	288	77,429	273	142	11,405	80	8
Hereford	321	93,552	291	87,987	274	159	13,035	81	7
Lichfield and Coventry	610	170,104	278	159,073	260	307	24,948	81	5
Lincoln	1,215	373,676	298	358,073	286	629	48,347	77	..
Llandaff	192	86,347	189	84,077	177	113	6,749	59	18
London	640	267,742	418	255,509	399	352	35,118	99	2
Norwich	1,028	331,750	323	321,823	313	522	38,510	73	37
Oxford	196	51,395	262	49,038	250	108	8,054	78	8
Peterborough	293	98,381	335	93,652	319	138	11,266	81	6
Rochester	94	44,555	474	39,007	414	60	6,551	109	2
Salisbury	398	134,255	337	127,459	320	223	18,174	81	11
Winchester	419	153,995	367	143,614	342	202	19,858	98	7
Worcester	223	3,255	328	69,653	312	110	9,002	81	3
York	891	223,220	250	216,005	242	341	29,553	75	12
Sodor and Man	23	3,727	162	3,623	157	[illegible]	211	70	..
Totals	10,549	3,197,225		3,004,721		5,230	424,695		178
Averages	..	..	303	..	235	..	..	81	..

The Classification of the Incomes of the Incumbents is as follows:—

Incomes.	Benefices.	Incomes.	Benefices.
£. £.		£. £.	
Under . 50	297	400 and under 500	830
50 and under 100	1,629	500 — 750	954
100 — 150	1,602	750 — 1,000	323
150 — 200	1,354	1,000 — 1,500	134
200 — 300	1,979	1,500 — 2,000	32
300 — 480	1,326	2,000 and upwards.	18*

The Commissioners have stated some of the principal results of their inquiries as follows:—

"From the returns of our inquiries, arranged and digested in the tabular statements before mentioned, it appears that the total amount of the gross annual revenues of the several archiepiscopal and episcopal sees in England and Wales is 181,631*l.*, affording an average of 6,727*l.*; and the total amount of the nett annual revenues of the same is 160,292*l.*, affording an average of 5,936*l.*

"The total amount of the gross annual revenues of the several cathedral and collegiate churches in England and Wales is 284,241*l.*, and the total amount of the nett annual revenues of the same is 208,289*l.*

"The total amount of the gross annual separate revenues of the several dignitaries and other spiritual persons, members of the cathedral and collegiate churches in England and Wales, is 75,854*l.*; and the total amount of the nett annual separate revenues of the same is 66,465*l.*

"The total number of benefices, with and without cure of souls, the incumbents whereof have made returns of our inquiries, omitting those which are permanently or accustomably annexed to superior preferments, and which are included in the statements respecting those preferments, is 10,540. The total amount of the gross annual revenues of these benefices is 3,197,225*l.*, giving an average income of 303*l.*; and the total amount of the nett annual revenues of the same is 3,004,721*l.*, giving an average income of 285*l.*

"The total number of benefices, with and without cure of souls, in England and Wales, including those not returned to us, but exclusive of those annexed to other preferments (about 24 in number), is 10,718; the total gross income of which, calculated upon the average of those returned, will be 3,251,159*l.*, and the total nett income thereof will be 3,055,451*l.*

"The total number of curates returned to us as employed by resident incumbents is 1,006, whose annual stipends or payments in money amount to 87,075*l.*, affording an average of 86*l.* Those employed by non-resident incumbents are 4,224; the amount of their stipends 337,620*l.*, and the average 79*l.* And the average of the whole of the curates' stipends is 81*l.*"

* There are only two livings of 4000*l.* a-year and upwards — the rectory of Stanhope, in Northumberland, of the nett annual value of 4843*l.*; and the rectory of Doddington, in the county of Cambridge, of the nett annual value of 7306*l.* There are only three livings worth from 3000*l.* to 4000*l.* a-year.

Churchwardens.—These are the guardians or keepers of the church, and representatives of the body of the parish. They are sometimes appointed by the minister, sometimes by the parish, sometimes by both together, as custom directs. They are taken, in favour of the church, to be for some purposes a kind of corporation at common law; that is, they are enabled by that name to have a property in goods and chattels, and to bring actions for them, for the use and profit of the parish. Yet they may not waste the church goods, but may be removed by the parish, and then called to account by action. There is, however, no method of effecting this, without first removing them, as it cannot legally be done except by those who are put in their place. They have no sort of interest in lands or other real property, as the church, church-yard, &c.; but if these be damaged, the parson or vicar has an action. The churchwardens repair the church, and make rates and levies for that purpose, with consent of the parishioners, unless, indeed, the latter neglect or refuse to attend the meeting when the assessment is imposed. These rates are recoverable only in the ecclesiastical courts; or before justices of the peace when the sum payable is under 10*l.* (53 Geo. III.)

Parish Clerks and Sextons.—Parish clerks and sextons are regarded by the common law as persons who have freeholds in their offices, and therefore, though they may be punished, they cannot be deprived, by ecclesiastical censures. The parish clerk was formerly very frequently in holy orders, and some are so at present. He is generally appointed by the incumbent, but by custom may be chosen by the inhabitants; and if such custom appear, the Court of King's Bench will grant a *mandamus* to the archdeacon to swear him in; for the establishment of the custom turns it into a temporal or civil right.

Deficiency of Church Accommodation.—Nothing, according to the Ecclesiastical Commissioners, has done so much "to cripple the energies of the established church, and circumscribe its usefulness, as the want of churches and ministers in the large towns and populous districts of the kingdom. The growth of the population has been so rapid as to outrun the means possessed by the establishment of meeting its spiritual wants; and the result has been that a vast proportion of the people are left destitute of the opportunities of public worship and Christian instruction, even when every allowance is made for the exertions of those religious bodies which are not in connection with the established church." (Second Report, p. 6.)

The Commissioners subjoin some details illustrative of this statement, and showing the efforts that have been made by the public, and by private associations and individuals, for obviating the evil. But, according to them, "all that has hitherto been done in this way falls very far short of the necessity of the case." They further state that the revenues of the established church, however husbanded or distributed, are quite inadequate to meet the exigencies of the case; and if so, there is, we apprehend, but little prospect of its being materially relieved: for it is not to be supposed that the Dissenters should willingly submit to be taxed for the erection and endowment of new churches; and unless they did so, the church would, it is probable, be

more injured by such a tax, than by the continued existence of the present deficiencies. Very large sums have, however, been subscribed to supply the deficiency in question.

Sect. 2.—*English Dissenters.*

In the estimation of the law all persons are regarded as dissenters whose religious principles, or modes of worship, differ in any degree from the standards of the church of England. The principal classes of dissenters are denominated methodists, independents, baptists, presbyterians, catholics, &c.; but these are subdivided into many subordinate classes, the differences between one class and another, and between certain classes and the church of England, frequently depending on minute points which it is sometimes very difficult, if not impossible, to define. The civil disabilities under which dissenters used to labour have been almost entirely obviated by the repeal of the test and corporation acts, in 1828.

1. *The Methodists* originated between 1730 and 1740. They are divided into two great bodies—the followers of Wesley, and the followers of Whitfield, clergymen of the church of England, and the founders of the sect. The creed of the Wesleyan methodists is Arminian, and they pretend to differ in few respects from the church of England. Wesley, indeed, always objected to his followers being classed with dissenters, and required them to attend the established church when they had no opportunity of hearing their own preachers, and there to communicate. Hence, they ought more properly, perhaps, to be called separatists than dissenters. In fact, there is a large body of people who seem to fluctuate between them and the establishment. The Wesleyan methodists are very numerous, especially among the lower classes. They are spread over the whole kingdom, but are particularly abundant in Yorkshire, Lancashire, Lincoln, and Cornwall. The religious affairs of the body are managed by a "conference," or assembly, consisting of such of their clergymen as choose to attend.

The creed of the other leading division of the methodists, or of the followers of Whitfield, is Calvinistic. They are not very numerous, except in Wales, where they are extensively spread over the country, outnumbering, in many places, the adherents of the established church.

The total number of all descriptions of methodists may, probably, amount to about 1,400,000.

2. *Independents or Congregationalists.*—This class of dissenters maintain, as their name implies, the independency of each congregation or society of Christians, and their right to elect their clergyman, and to lay down rules as to discipline, &c, without being subject to any external control. They were established in England in the 16th century; but they subsequently underwent much persecution. At the æra of the Revolution they were a comparatively small body; but they have rapidly gained ground since the middle of last century, particularly at the expense of their old enemies, the presbyterians, from whom they have drawn many recruits. This body now comprises

above 1,800 congregations. Many of their churches are elegant; and not a few of their clergymen have been distinguished in the present century, as well as in former times, for their learning and ability.

3. *Baptists, or Anabaptists*, are those who contend that baptism is to be administered to adults only, and that not by sprinkling, but by immersion. They are farther subdivided into several subvarieties, as *particular* or *Calvinistic*, *general* or *Arminian*, &c. They are pretty generally distributed over the whole kingdom, having in all about 1,200 congregations. The greater number of their clergymen are educated at an academy at Bristol.

4. *Presbyterians.*—These derive their name from rejecting the episcopal and independent, and adopting the presbyterian form of church government. During the civil wars they were very powerful in England; and, at one time, there appeared to be much probability that the established religion of the kingdom would assume the presbyterian form. But this not having taken place, they have since gradually declined. Originally their opinions were highly Calvinistic; but in this respect, also, they have materially varied; some congregations being Arminian, others Arian, and others Unitarian. A few presbyterian churches are in communion with, and adhere to, the standards of the church of Scotland; but, except in the northern counties, their number is inconsiderable. At the commencement of last century, the presbyterians were much more numerous than the independents; but, at present they are said not to muster more than 200 congregations, and some of them very small.

The clergymen in and about London, of the independent, baptist, and presbyterian dissenters, are associated together in a body called the clergymen of the *three denominations*. Their meetings are held in Dr. Williams' library, in Red Cross-street. The business of the association has been long confined to the discussion of matters connected with the political condition and circumstances of the dissenters.

5. *Quakers or Friends.*—This sect is not very numerous, nor is it increasing. Quakers are principally to be found in Yorkshire, Lancashire, and Cumberland. Not a few of the wealthier individuals belonging to the sect have laid aside the peculiar dress and phraseology by which its adherents are commonly distinguished.

6. *Catholics.*—Owing to the late extensive immigration of Catholics from Ireland, their numbers have rapidly increased within the present century. They are most numerous in Lancashire, particularly in Manchester and Liverpool, where they constitute a large class of the population. According to the details given in Mr. Lewis's valuable Report on the state of the Irish poor in Great Britain, there were in Liverpool, in 1800, 4,950 Irish Catholics; in 1820, 11,016; and in 1833, no fewer than 24,156! The Irish Catholics in Manchester, in 1833, were estimated at about 30,000. In Birmingham, in the same year, they amounted to between 5,000 and 6,000. The number of Irish Catholics in London has been said to be as great as in Liverpool or Manchester; but we are not aware of the data on which this estimate has been made.—(*Report on the Irish Poor*, p. 7.) The English Catholics are most numerous in Lancashire, Yorkshire, Staffordshire, and Warwickshire; and are pretty widely diffused over Northumber-

land and Durham, some of the principal families of which belong to their communion.

7. *Jews* are to be found in most large towns in England; but by far the greatest number are resident in London. Their total number may be estimated at from 12,000 to 14,000.—(*Encyc. Britannica*, art. JEWS.)

Exclusive of the above there are a great variety of other sects; but most of them have but few adherents.

Number of Dissenters.—There are not, we regret to say, any materials in existence by which to frame any tolerably accurate estimate of the number of dissenters. The *Congregational Magazine* for January, 1836, contains a table, which appears to have been compiled with much care, of the number of congregations belonging to the leading classes of dissenters in the different counties of England and in Wales, with the population, and the number of places of worship belonging to the Established Church. We subjoin this table:—

Table exhibiting the Population of each County of England and Wales in 1831, *the Number of Dissenting Congregations in each, and the Number of Congregations belonging to the Established Church.*

Counties.	Population.	Number of Dissenting Congregations in each County.									Total Dissenters.	Episcopalians.
		Roman Catholic.	Presbyterian.	Independent.	Baptist.	Calvinistic Methodist.	Wesleyan Methodist.	Other Methodists.	Quaker.	Home Missionary and other Stations.		
Bedfordshire	95,483	1	..	9	26	..	85	1	4	..	76	127
Berkshire	145,389	6	1	17	17	7	34	..	6	..	88	160
Buckinghamshire	146,529	1	..	22	36	1	25	..	8	33	126	214
Cambridgeshire	143,955	1	1	22	32	1	29	1	3	..	90	174
Cheshire	334,391	7	4	31	7	8	43	30	6	..	141	142
Cornwall	302,440	3	2	31	16	8	219	69	10	..	322	221
Cumberland	169,681	6	..	18	1	1	32	11	22	38	129	145
Derbyshire	237,170	7	3	39	21	5	84	22	5	..	184	176
Devonshire	494,478	8	5	63	44	5	93	18	6	28	270	490
Dorsetshire	159,252	8	4	29	7	..	21	22	5	37	133	263
Durham	253,910	15	17	14	10	..	72	28	7	57	220	112
Essex	317,507	5	1	68	34	1	35	1	20	..	165	402
Gloucestershire	387,019	7	1	31	38	11	51	7	13	..	159	372
Hampshire	314,280	15	4	48	37	8	26	..	5	..	141	320
Herefordshire	111,211	4	..	11	14	1	16	..	4	15	65	227
Hertfordshire	148,341	1	1	25	16	4	2	..	12	..	61	131
Huntingdonshire	53,122	..	..	9	13	1	8	..	3	..	34	97
Kent	479,655	5	7	58	39	15	90	..	9	47	265	421
Lancashire	1,336,854	86	21	100	40	9	154	80	25	66	581	292
Leicestershire	197,003	6	3	29	38	..	68	18	4	..	161	254
Lincolnshire	317,465	11	3	19	35	2	211	24	9	..	314	607
London and Middlesex	1,358,300	26	12	163	65	22	59	7	12	..	306	246
Monmouthshire	98,130	7	..	37	36	..	10	..	3	..	93	133
Norfolk	390,054	8	4	34	40	1	74	24	13	8	206	699
Northamptonshire	179,236	..	1	56	41	..	61	7	7	8	161	295
Northumberland	222,912	18	50	10	4	..	29	22	4	..	137	105
Nottinghamshire	225,327	3	2	19	17	..	77	41	3	..	162	216
Oxfordshire	152,126	7	..	17	14	..	48	2	10	6	99	242
Rutland	19,385	..	..	4	2	..	7	..	1	..	14	50
Shropshire	222,938	7	1	32	17	1	31	16	3	34	154	224
Somersetshire	404,200	10	6	68	48	6	94	20	17	12	281	494
Staffordshire	410,512	26	..	32	19	..	82	41	6	5	211	235
Suffolk	296,317	5	2	35	39	1	40	..	10	..	132	501
Surrey	486,334	2	1	31	16	4	..	1	10	29	94	159
Sussex	272,340	7	7	41	12	6	20	..	5	..	98	322
Warwickshire	336,610	15	5	39	29	2	18	2	12	15	137	217
Westmoreland	55,041	2	1	9	1	..	18	1	11	..	38	67
Wiltshire	240,156	3	1	51	27	1	37	..	3	5	138	314
Worcestershire	211,565	11	3	10	21	3	24	21	7	..	100	201
Yorkshire	1,371,359	51	9	170	63	1	532	147	64	10	1,047	760
Wales, North and South	806,182	6	14	374	159	300	214	15	9	..	1,091	998
England and Wales	13,897,187	416	197	1,840	1,201	427	2,818	666	396	453	8,446	11,825

Supposing this table to be nearly accurate, it shows that the dissenting congregations are, to those belonging to the church, as 84 to

118, or as 42 to 59. But we should err egregiously if we imagined that the number of individuals belonging to the dissenters and the church were in anything like this proportion. Generally speaking the dissenters, particularly the Methodists, are much more strict and regular in their attendance at divine service than the members of the Established Church. The latter, indeed, include a large class, partly consisting of the upper and partly of the lower and middle orders, who are but little scrupulous in their observance of the ordinances of religion. Many, too, of the dissenting congregations are extremely limited; and, though some of them be numerous, yet, at an average, they are small compared with those belonging to the church. On the whole, we incline to think that the entire number of dissenters in England and Wales does not exceed 3,000,000, or at most 3,500,000, of whom from 550,000 to 650,000 may be Catholics.

Sect. 3. — *Church or Kirk of Scotland.*

Rise of Presbytery in Scotland.—The reformation from Popery began at an early period in Scotland, but made little progress till the time of John Knox, who commenced his career as a reformer in 1542.* On the 24th of August, 1560, Popery was abolished in Scotland, and the Protestant religion established by Act of Parliament. At this time it was necessary for the reformers to substitute a new system of ecclesiastical polity in the place of that which had been abolished. Knox had studied under Calvin at Geneva; and hence the Genevan or *presbyterian* form of ecclesiastical polity was introduced and established in Scotland. This system was embodied in a work, now entitled *The First Book of Discipline, or the Policy and Discipline of the Church*, and was laid before Parliament in 1560 as a necessary accompaniment to the legal constitution of the reformed national church: though not formally ratified by the Legislature, it was subscribed by many of its members; while some of them denominated it "a devout imagination." It was submitted, in the same year, to the general assembly of the church at Edinburgh, by which it was approved. But, though Parliament did not ratify the ecclesiastical system of polity contained in *The First Book of Discipline*, it accepted and confirmed the *confession of faith* drawn up by Protestant ministers, the object of which was not so much to establish the reformed doctrines, as to abjure Popery; and hence it is called the *negative confession*. Another *confession of faith*, or *national covenant*, as it was called, was drawn up, ratified, and subscribed in 1580 and 1581, and on subsequent occasions.

The question of ecclesiastical polity being still undecided by the Legislature, Episcopacy, which received the support of the sovereign, and of many of the most powerful families, and Presbyterianism, which was embraced by the great body of the people, struggled for some years for superiority. The Presbyterians having at length obtained the ascendancy, the General Assembly, in 1578, gave its sanction to what is known in history as *The Second Book of Discipline, or Heads and Conclusions of the Policy of the Kirk*, which, having thus become ecclesiastical law, was engrossed as such in the registers of the Assem-

* Born in 1505, died in 1572.

bly that met in 1581, and has since continued to form the basis of the polity of the established Presbyterian Church of Scotland. This Assembly first divided the country into presbyteries and synods (1581); a measure taken at the express desire of the King (afterwards James I. of England), who, harassed by the unsettled state of religion, addressed a letter to the Assembly, urging that court to adopt some form or order as to the church, which might be permanent.

The establishment of Presbytery was not acceptable to the King, and it did not obtain the sanction either of the Privy Council or Parliament. Indeed, Episcopacy was within three years re-established by Parliament; Presbytery declared illegal; and the Presbyterian ministers obliged to expatriate themselves, or to submit to persecution at home.

But, though proscribed, the Presbyterians made such strenuous exertions in support of their views, and so plied the King with petitions and remonstrances, that, at length, he was forced to yield. Accordingly, on the 5th of June, 1592, the Presbyterian form of church government received, for the first time, the sanction of Parliament, and was established by law as the national church. To remove every obstacle to the full influence of the Presbyterian ministers, they were provided with manses (parsonage-houses) and glebes, even at cathedral churches.

This Act of the Legislature, however, had not long passed till means were adopted, both by the court and in other quarters, to undermine the established religion, and to introduce prelacy in its stead. This was ultimately accomplished in 1606; from which time till 1638, when the popular voice again predominated, Episcopacy prevailed; Presbytery was proscribed; and its members persecuted or banished. But in the last-mentioned year the tide of affairs turned: the General Assembly met at Glasgow, and re-established Presbytery, which, two years afterwards, received the sanction both of the King (Charles I.) and of Parliament.

Presbytery kept its ground, embracing the great body of the people, till the Restoration in 1660, when Episcopacy regained the ascendancy, which it maintained, though at the expense of an atrocious persecution, till the Revolution in 1688: soon after which it was abolished, and the national church of Scotland finally established on the Presbyterian plan. The statute of 1592 was taken as the model; and the enactments that had been passed by the various General Assemblies since that period, particularly in the Assembly of 1638, were confirmed: the Act of William and Mary, re-establishing Presbytery, passed in 1690.

Standards of the Church.—The Scotch church sent five ministers and three elders as delegates to the Assembly of Divines which met at Westminster in 1643, and to this Assembly it is indebted for a Directory of Public Worship, a Form of Ordination, the Larger and Shorter Catechism, and the Confession of Faith: all of which were adopted by the General Assembly, and declared by the Scotch Parliament to be agreeable to the word of God. These, though they did not continue long in force in England, are still valid in Scotland, and form the standards of the doctrine and discipline of the Presbyterian

church. The doctrines of that church are strongly Calvinistic, the leading tenets being predestination, original sin, particular redemption, irresistible grace, justification by faith, and the perseverance of the saints. Its form, as already stated, is presbyterian, episcopacy being regarded by the bulk of the people with the greatest aversion.

Parishes.—Every parish in Scotland has a resident clergyman; *residence* being obligatory by law so early as 1563. But in parishes which include burghs, and in city parishes, the church is often collegiate, that is, has the services of two clergymen, who preach alternately in the same church. The number of collegiate churches is 27: the whole number of parishes is 1023; so that, including the collegiate charges, the number of clergymen is 1050. The number of parishes has not been invariable. Two, and sometimes three, small parishes, lying contiguous to each other, have occasionally been united into one; and new parishes, particularly in cities and the larger towns, have been erected. But as many difficulties attend the erection of new parishes, the inconvenience of large parishes has been obviated in the two following ways. 1. Missionaries, being first ordained as clergymen, are appointed to certain localities with the privileges *quoad spiritualia* of parochial clergymen, except that they cannot be constituent members of any of the church courts, and cannot even have sessions of their own. In 1833, however, these localities were, by an act of the General Assembly, converted into parishes *quoad sacra*, and the clergymen were invested with all the rights and privileges of parish ministers, and declared constituent members of the ecclesiastical courts. But it has since been found by the courts of law that the Assembly had no power to pass such an Act; and these ministers have been reduced to their original rank of ordained missionaries. Their incomes differ in different places, but never exceed 100*l.*, and often do not amount to half that sum. They are paid out of a sum of 2000*l.*, granted yearly by Her Majesty, and called the "Royal Bounty." 2. The institution of *chapels of ease*, or subsidiary places of worship, without any assigned locality. The ministers of these chapels (the first of which was erected in 1798) are paid out of the seat rents, a *minimum* stipend being generally guaranteed to them by the managers of each chapel; but though in full orders, like the parliamentary ministers, and entitled to perform every sacerdotal function, they have no sessions of their own, nor are they members of any church court. These chapels amounted to 66; when, in 1834, the General Assembly conferred on them the same rights and privileges which belong to parish ministers, and appointed them to certain localities *quoad sacra*. But this Act, like the former, having been declared incompetent on the part of the church, was repealed in 1843. There are now (1846) about 200 such chapels. But as many of them are not yet supplied with clergymen, their exact number cannot be specified. The General Assembly applied (1834 to 1836) to Government for endowments, not only for the chapels already built, but for all those that may hereafter be erected, but without effect. The legislature, however, passed a law in 1844 to the effect, that if a bare majority (not three-fourths, as formerly) of the landowners of a parish agreed to disjoin such parish into one or more ecclesiastical districts, and

if from teinds or otherwise they secured a competent income for the benefice, new parishes might, in every such case, be erected. But this statute, though it removed many of the difficulties that formerly attended the subject, and greatly facilitates church extension, has not yet been carried into effect in any part of Scotland.

Church Judicatories.—Kirk Session.—The Kirk Session is the lowest court. It is composed of the minister of the parish and of lay-elders. New elders are chosen by the Session; but their names being read from the pulpit at least ten days before their ordination, the congregation have the power of objecting to them; and, if the objection be found valid they are not inducted. An elder, on his ordination, declares his implicit assent to all that is contained in the Confession of Faith, and signs the standards of the church. The minister and two elders form a session; but the session generally comprises a greater number of elders: a dozen is reckoned a pretty ample session. The minister is officially *moderator*, or president of the session; and a session cannot exercise any judicial function, unless the meeting be constituted by prayer, either by the parish minister, or some other minister officiating in his stead. The session takes cognisance of cases of scandal, administers the poors' funds (which in the majority of the parishes of Scotland consist solely of the collections at the church doors), and superintends the ecclesiastical discipline of the parish. The elders visit the sick, each in a given district. The decisions of the session may be appealed from to the presbytery, the next court in dignity.

The Presbytery is composed of an indefinite number of representatives from contiguous parishes. The largest number of parishes in any presbytery (that of Edinburgh) is 34; the smallest number is 6. A presbytery consists of the ministers of all the parishes within its limits; of the professor of divinity, if there be any university within the same; and of a lay-elder from each parish. Hence, if no church be collegiate, and if there be no professor of divinity, the number of ministers and elders in any meeting of presbytery will be equal. A moderator or president, who must be a clergyman, is chosen twice a year. The presbytery takes young men on trials as students of divinity, and candidates for license; ordains presentees to vacant livings; has the superintendence of religion and education within its precincts; sits in judgment on the conduct of its members, and may depose them. But its decision is not final, an appeal lying to the synod. A presbytery generally meets once a month; it must necessarily meet at least twice a year. It may continue its sittings as long as necessary, and may hold *pro re natâ* meetings. There are at present 80 presbyteries.

The Synod.—A synod is composed of two or more presbyteries. It comprises every parish minister within its limits, and the elders who have last represented the different sessions in presbytery; so that the number of ministers and elders may be equal. Neighbouring synods correspond with each other by sending a minister and elder, who form constituent members of the synod to which they are sent. At every meeting a moderator, or president, who must be a clergyman, is chosen, who delivers a sermon at the opening of the synod. This court meets

twice a year; but there may be, though there seldom are, *pro re natâ* meetings. The number of synods is 16.

Synopsis of the Synods, Presbyteries, &c., of the Kirk of Scotland.

Synods.	Presbyteries.	Parishes.	Clergymen.
Synod of Lothian and Tweeddale	7	120	128
,, Merse and Teviotdale	6	66	66
,, Dumfries	5	56	56
,, Galloway	3	37	37
,, Glasgow and Ayr	8	155	159
,, Argyle	5	55	57
,, Perth and Stirling	5	89	90
,, Fife	4	67	72
,, Angus and Mearns	6	84	87
,, Aberdeen	8	108	109
,, Moray	7	56	58
,, Ross	3	27	27
,, Caithness and Sutherland	3	28	28
,, Glenelg	5	41	41
,, Orkney	3	20	21
,, Shetland	2	14	14
Total Number 16 Synods	80	1,023	1,050

The General Assembly.—This is the highest ecclesiastical court, its decisions being supreme: it meets annually in the month of May, and sits for ten successive days. But if any cases be left undecided, a commission is appointed, with power to take them up, and decide upon them. The commission is equivalent to a committee of the whole house, being composed of all the members of Assembly and one minister additional, named by the moderator. The commission also holds quarterly meetings. The assembly, unlike the inferior courts, consists of representatives from the presbyteries, royal burghs, and universities of Scotland, and from the churches in the East Indies, connected with the church of Scotland, as follows:—

Eighty Presbyteries send, ministers	218
,, ,, elders	94
City of Edinburgh, elders	2
Sixty-five other royal burghs	65
University of Edinburgh, University of Glasgow, University of St. Andrews, Marischal College, Aberdeen, King's College, Aberdeen, (One minister or one elder each)	5
Churches in India, a minister and an elder	2
Total number of members	386

The proportion which the representatives of the several presbyteries in the General Assembly bear to the number of ministers within each presbytery is as follows:—"All presbyteries, consisting of 12 parishes or under, shall send two ministers and one elder; all presbyteries consisting of 18 parishes or under, but above 12, shall send three

ministers and one elder; all presbyteries consisting of 24 parishes or under, but above 18, shall send four ministers and two elders; all presbyteries consisting of 30 parishes or under, but above 24, shall send five ministers and two elders; and all presbyteries, whose number exceeds 30, shall send six ministers and three elders."—(*Acts of Assembly*, 1694, and 1712.)

The General Assembly is attended by a nobleman as representative of the sovereign, under the title of Lord High Commissioner. But this high functionary used to be, and to some extent still is, an object of suspicion. He takes no part in the proceedings of the court, and has no voice in its deliberations; even his presence is not necessary. When from any cause he is unable to attend, the business of the court proceeds, notwithstanding his absence. The church has always claimed the right of meeting, both in its supreme and inferior judicatories, by its own appointment; and occasions have occurred (particularly in 1638 and 1692) when, though the commissioner dissolved the Assembly, it continued to sit, and appointed the day when the next Assembly should be held. But though apparently incompatible, the civil and ecclesiastical authorities, have not come into collision for the last 160 years, and, under ordinary circumstances, sufficiently harmonise. When the business of the Assembly is concluded, the moderator addresses the court, and, in the name of the Lord Jesus Christ, the king and head of his church, appoints another Assembly to be held on a certain day in the following year. The Lord High Commissioner then also addresses the court, and, in the name of the sovereign, appoints another assembly to be held on the day mentioned by the moderator.

The Assembly chooses a moderator for every meeting, who, in recent times, has been always a clergyman. But at an early period laymen (for example, George Buchanan and Andrew Melville,) occasionally filled the chair.—(*M'Crie's Life of Knox*, vol. ii. p. 282.)

Course of Study for the Church.—The course of study for the church extends to eight years at one or other of the universities of Scotland. Of this period, the first four years are devoted to literary and philosophical study, comprising Latin and Greek, logic and metaphysics, ethics, mathematics, and natural philosophy; the other four years to Hebrew, church history, and theology, biblical, exegetical and systematic. During these last four years the students must attend both Hebrew and Church history for two sessions; but theology, which cannot occupy less than four years, may be extended to five: the regular time is three full years and a partial one; but the student, at his own option, may take five years, that is, two full years, and three partial ones. During his theological course, exclusive of his exercises as a student of Hebrew and church history, he has to deliver to the professor of divinity five discourses; namely, an exegesis, in Latin, a homily in English, an exercise and addition, a lecture on some portion of Scripture, and a popular sermon. Before entering on his theological course, the student is examined by the presbytery, within whose limits he resides: and it has recently been resolved by the General Assembly that such examination be annual.

After this routine of study, which must be duly certified, the student is taken "on trial" for license by the presbytery, before which he has,

in addition to the usual examination, to deliver five discourses as above, on subjects prescribed by the court. If the presbytery find him unqualified, they may reject him, appoint him to new trials, or remand him to his studies: if he pass, he obtains license as *probationer*, or preacher of the Gospel; and thus becomes qualified to perform all ministerial functions, except dispensing the sacraments of baptism and of the Lord's Supper, and celebrating marriages. He may now be presented to a parish, or other benefice; on his appointment to which he is ordained by the presbytery.

Patronage.—Lay patronage, or the right of nominating to a vacant parish by a lay patron, has generally, though with modifications, been the law of the church. From 1690, however, to 1712, patronage was abolished; the right of presentation being lodged in the landholders (*heritors*) of parishes and the members of their kirk sessions. Patronage was revived in the year last specified; and continued uninterrupted till 1834. A slight appearance of popular rights, in respect to the reception or rejection of a presentee, was preserved, but rather in name than in reality. After a presentation had been found valid by the presbytery, the presentee was appointed to preach in the vacant church for one or more Sundays; and a day was fixed, posterior to his preaching, on which a *call* was to be given him by the people, or as the phrase is, was to be *moderated in;* notice to that effect being given from the pulpit. At that meeting, after sermon by a member of presbytery, the parishioners were invited to subscribe a written call to the presentee to be their future minister. At one period the call was essential to a presentation, but its efficacy was gradually given up; till, at length, without any alteration being made in the law, it fell into desuetude; that is, a presentation was reckoned valid, if a single name, or perhaps not even a single name, was attached to it. This state of things having occasioned many violent intrusions of clergymen, and given general dissatisfaction, was changed, as above hinted, in 1834; when an effort was made not only to restore the efficacy of the call, but to place it on a firmer foundation than ever. "If," to use the words of the Act of Assembly, "at the moderating in a call to a vacant pastoral office, the major part of the male heads of families, members of the vacant congregation, and in full communion with the church, should disapprove of the person in whose favour the call is proposed to be moderated in, such disapproval shall be reckoned sufficient ground for the presbytery rejecting such person, and he shall be rejected accordingly." The Act farther declared, "that no person shall be held to be entitled to disapprove as aforesaid, who shall refuse, if required, solemnly to declare in presence of the presbytery, that he is actuated by no factious or malicious motive, but solely by a conscientious regard to the spiritual interest of himself and the congregation." This statute was known by the name of the *Veto* Act. But its validity having been disputed, it was set aside by a judgment of the House of Lords in 1839; an event that was speedily followed by the establishment of the FREE CHURCH. (See *post.*) Soon after this event took place, Parliament (August 17th, 1843,) passed an Act, commonly called Lord Aberdeen's Act, for removing doubts respecting the admission of members to benefices in the Scottish church, which, had it been sooner

enacted, might, perhaps, have prevented the disruption. This statute enables one or more parishioners, being members of the congregation, to state objections to the presentee, "in respect to his ministerial gifts and qualities, either in general, or in reference to that particular parish;" of which objections the presbytery or other church judicatory are to be the judges, who, in coming to a decision on the subject, are to "have regard to the whole circumstances and condition of the parish, to the spiritual welfare and edification of the people, and to the character and number of the persons by whom the said objections or reasons shall be preferred:" and if the result be unfavourable to the presentee, "as not being a qualified and suitable person for the functions of the ministry in that particular parish," such deliverance must set forth and specify "the special ground on which it is founded." This Act has hitherto worked well, and seems to give satisfaction to all parties. The right of patronage, it may be observed, is private property; and may be sold or alienated like other property. The patronage of about a third part of the parishes of Scotland is vested in the Crown.

Teinds or Tithes.—The income or stipend of the ministers of the church of Scotland (exclusive of the ministers of the *quoad sacra* parishes already noticed) is derived from the wreck of the tithes, or *teinds* as they are commonly called, that belonged to the Catholic hierarchy. On the Reformation, teinds and other church property suffered much dilapidation; the greater part having been seized upon by the nobility and higher gentry. A small portion only has since been devoted to the maintenance of religion. In 1561, by an act of the Privy Council, a third part of the ecclesiastical revenue was given to the church; but of this third, no small portion "was discharged by the Queen [Mary] or bestowed in pensions on favourites of the court." —(*Connel on Teinds*, vol. i. p. 150.) The highest stipend that was given was 300 marks Scots, about 16*l.* sterling; but the majority of ministers got only 100 marks. Various modifications and changes, none of them favourable to the clergy, many of whom were literally starving, afterwards took place with regard to this paltry allowance, till 1617, when the *maximum* stipend was fixed by Act of Parliament at 1000 marks, or 10 chalders of corn or *victual*; the *minimum* at half that amount, "except where the whole fruits of the kirk will not extend to that quantity."—(*Ib.*) But the greatest change which teinds in Scotland has undergone, took place in the reign of Charles I., who revoked the whole ecclesiastical grants (except the church lands) conferred by his father on his subjects. This revocation being made, though with difficulty, it was provided that the teinds, except such as were appropriated to the payment of stipend, should be valued and sold. The landholders were entitled to sue for a valuation or *modus*, and to purchase the teinds of their own estate. The valuation was devolved on commissioners and sub-commissioners, the latter of whom itinerated. A body of commissioners was maintained for this purpose from the reign of Charles I. to the Union in 1707; at which time the Court of Session was authorised to supply their place, and to determine in all cases of valuation and sale of teinds. (See *ante*, p. 222.) As the commissioners had been empowered to vary the stipends of the ministers, the same right was transferred to the Court of Session. The

burden of building parish churches and manses, and keeping them in repair, also devolves on the proprietors of land, according to the valued rental of their several estates.—(*Act of Convention*, 1670. c. 3.—*Connel on Teinds.*)

A clergyman is entitled to apply to the Court of Session for an augmentation of his stipend, which it is competent for that court either to grant or refuse. But 20 years must elapse before such application can be renewed. On all lands not valued, the teind when valued (which is likely to be done on an augmentation of the minister's stipend,) is fixed at the fifth part of the existing rental. The ministers of Edinburgh and Montrose are paid, not by teinds but by a local tax levied on the occupiers of houses.—(*Ib.*)

Manses and Glebes.—A minister, as previously stated, is entitled to a parsonage-house, or manse, and a glebe. The statutory *minimum* allowance for building a manse, is 1000 marks. But generally ten times that sum or more is given; manses being mostly built on an improved style of accommodation, and fully suitable to the income and rank of a clergyman. The *minimum* legal size of a glebe is four arable acres, with grass or pasture for a cow and two horses. But glebes are seldom, if ever, confined to that size; being generally twice or three times as large. The minister of a royal burgh has no legal claim to a glebe; and it is not a settled point whether he is entitled to a manse, though he frequently enjoys both; generally the latter, or a sum in its stead.—(*Dunlop's Parochial Law*, chap. ii.)

Income of the Clergy.—The exact income of the clergy cannot be ascertained; but a near approximation to it may be made. Except in parishes where the teinds are exhausted, and they are paid a fixed money stipend, their income is measured by the price of corn as fixed by the *fiars* struck annually in February, and determined by the average price for the preceding three months. Stipends, consequently, oscillate in amount. In country parishes, where there are unappropriated teinds, they are nearly equal; but in royal burghs, or in parishes of very great population, they are higher. In several parishes the teinds have been exhausted, and are all appropriated to the incumbent, without yielding him an income of 158*l.* 6*s.* 8*d.*, including an allowance for communion elements. To raise them to this minimum amount, the Act 50 Geo. III. set apart a sum not exceeding 10,000*l.* a year, with a farther sum of 2,000*l.* a year, to raise the stipend of such clergymen as cannot, according to law, be provided with manses and glebes, to 200*l.* The parishes so assisted are called Bounty Livings. Their number is 196; of which the highest receives from Government 144*l.* 18*s.* 10*d.*; (the teinds producing only 13*l.* 7*s.* 10*d.*); and the lowest 11*s.* 7*d.* There are 17 parishes that receive above 100*l.*, and 25 that receive under 20*l.*—(*Record in Teind Court.*—*Peterkin's Supplement.*)

The aggregate amount of the whole teinds of Scotland appropriated to the payment of stipend (taking the average of the seven years preceding 1835), is 177,471*l.* 17*s.* 2*d.*; to which add 12,000*l.* annually granted, as above stated, by Government; and the result will be 189,471*l.* 17*s.* 2*d.*; which revenue, taking the number of incumbents at 943 (that is, including the collegiate members, but not the ministers of the *quoad sacra* parishes), affords an average income to each in-

cumbent of 200*l.* 18*s.* 5½*d.* a year, exclusive of manse and glebe.—(*Report of Church Commissioners*, vol. iii.) The gross ecclesiastical income of the Church of Scotland, including that of the *quoad sacra* livings, will not exceed 200,000*l.*

But, as already stated, the teinds applicable to the support of the church are not all exhausted. They are exhausted in 196 parishes, without making up the stipends of the clergymen to 158*l.* 6*s.* 8*d.* the deficiency being supplied by Government. They are exhausted also in 206 other parishes; but as in these they yield upwards of 158*l.* 6*s.* 8*d.* of stipend, no aid is required from or given by the Exchequer. In the remaining parishes they are unexhausted, leaving altogether a clear surplus of 124,318*l.* 12*s.* 11*d.* These unexhausted teinds are held by different parties, by heritors or landholders, by the Crown, and by the Universities; and are liable to be charged with future augmentations of stipends, according as the Court of Teinds may determine.

If any legislative grants of money are made to the new or *quoad sacra* churches, it is supposed that they will be given out of the Bishops' teinds, which yield about 10,000*l.* a-year.

Sect. 4. *Free Church.*

At present, as previously seen, and since the reign of Queen Anne (1712), the privilege of appointing clergymen to parishes has been vested in the Crown or in private patrons, with the proviso that they must be selected from among those who have gone through the course of study prescribed by the church, and been examined and licensed as preachers by a presbytery. The right of patronage has long, however, been exceedingly unpopular. Its enforcement, in despite of public opinion, occasioned the great secession from the church in 1741; and latterly it has become more unpopular than ever. It has been already stated that the General Assembly, by a measure, called the *veto* act, passed in 1834, gave the congregations belonging to parishes a right to reject a presentee, if he were not acceptable to them: but (unfortunately, we think,) it was decided first by the court of session and subsequently by the House of Lords (3rd May, 1839,) that the General Assembly had no power to pass the *veto* act, and that all proceedings under it were null and void. This decision was not, however, submitted to by the majority of the Assembly, by whom it was regarded as a usurpation upon their rights; and no legislative measure having been proposed calculated to allay the public irritation, or to mitigate the extreme exercise of the right of patronage, the leaders of the dominant party in the Assembly determined to secede from the church. Accordingly on the first day (18th May) of the meeting of the general assembly of 1843, the ministers and elders, members of that body, opposed to the right of patronage and in favour of the *veto*, gave in a Protest, stating, among other things, that "The courts of the church as now established, and members thereof, are liable to be coerced by the civil courts in the exercise of their spiritual functions; and in particular in their admission to the office of the holy ministry, and the constitution of the pastoral relation, and that they are subject to be compelled to intrude ministers on reclaiming congregations in opposition to the fundamental

principles of the church and their views of the word of God, and to the liberties of Christ's people." And this protest having been read, the protesters withdrew to a separate place of meeting, and constituted themselves, and such as might afterwards adhere to them, into a body to be denominated the FREE CHURCH OF SCOTLAND. The Protest was signed by 125 ministers and 77 elders. But within a few weeks, no fewer than 470 clergymen seceded from the establishment, and joined the Free Church. Of those, 273 were parish clergymen, being above a fourth part of the total number of those belonging to the establishment. The rest were *quoad sacra* ministers. And whatever may be thought of its wisdom, this proceeding sets in a striking light the sincerity and zeal by which the seceders were animated. The voluntary abandonment by so many individuals of their homes and incomes, rather than hold them by compromising what they believed to be a fundamental principle, reflects the highest credit on the Scottish church and character.

As might be expected, the Free Church embraces a large body of lay adherents. In May, 1846, no fewer than 607 churches had been built, or were being built for the accommodation of its members; and many of these had schools in connexion with them. Very conflicting estimates have been formed of the total numbers within the pale of the Free Church; these being exaggerated by its friends, and under-rated by its opponents. On the whole, however, they may perhaps be safely estimated at about 550,000.

Nothing, perhaps, has been so extraordinary, in connexion with the history of this secession, as the zeal and liberality displayed by the public in subscribing funds for the building of churches and the support of the clergy. These amounted, between the 18th of May, 1843, and the 31st of March, 1846, to the very large sum of 1,002,270*l.* 18*s.* 8*d.*, of which not 10 per cent. was unpaid. Additional subscriptions continue to come in. The erection of a handsome college in connexion with the Free Church has been commenced in Edinburgh: and it is intended to build houses (manses) for the accommodation of the clergymen.

But while there is much to applaud in this display of zeal and liberality, we cannot help regarding the late secession as fraught with many inconveniences, and regret that measures were not taken to prevent its occurrence. We said in the former edition of this work, "It were much to be wished that this question were satisfactorily disposed of. No doubt there are numerous difficulties in the way, but they are far from being insuperable; and we are clear that either the privilege of selecting their clergymen should be given to parishes, or that they should be authorised peremptorily to reject any presentee not acceptable to them. The latter, perhaps, would be the least exceptionable mode of disposing of the question; and it might at once be effected by giving the *veto* act of the General Assembly the force of law. This privilege is, in fact, of the very essence of presbytery. It is entirely a popular institution; and it is idle to suppose that those who are conscientiously attached to it should ever approve a system of absolute patronage. That control over the election of clergymen, for which the majority of the clergy and people of Scotland are now con-

tending, is not only right and proper in itself, but is in keeping with the other institutions of the country. All magistrates of boroughs, members of parliament, and other functionaries, are now chosen by popular election; and we have yet to learn why a different practice should be followed in the case of clergymen; and that they, whether acceptable or not, should be thrust upon the public. Such a system is sure, in the end, to destroy itself. To keep it up can serve no purpose, unless it be to lessen the utility of the church, to occasion agitation, and to add to the number of dissenters."

What has since occurred has fully demonstrated the truth of these statements. Had the *veto* act been passed into a law, the disruption of the church would not have occurred; and we believe we may, also, safely affirm that the *veto* would not have been exercised in one case out of twenty. Patrons would have seen the wisdom of deferring (as many of them do at present) to the wishes of congregations, and the *veto* would rarely have been heard of. Now, however, the established church is no longer the church of a decided majority of the people; and has ceased to enjoy much of the respect and influence that formerly belonged to it. Religious animosities and fanaticism have also been widely diffused; so that, on the whole, there is good cause to regret the not giving a legal effect to the *veto* act of the General Assembly.

SECT. 5.—*Scotch Dissenters.*

Secession Church, Origin of.—Presbytery having, as above stated, been established as the national form of religion, the church continued for a while cordial and harmonious. But owing to an undue exercise of patronage, by intruding a minister on a parish (Kinross), contrary to the declared sentiments of the people, a schism began to appear in 1730. Several ministers, of whom Ralph and Ebenezer Erskine were the leaders, refused to obey the authority of the church courts, as to the induction and subsequent recognition of the intruded clergyman; and after some years of discussion, in the ecclesiastical judicatories, the pulpit and the press, eight ministers were deposed, in 1740, by the General Assembly, and their parishes declared vacant. To these ministers the name of *seceders* was given; and as most of the members of their congregations adhered to them, and others followed, they became the founders of the Secession Church of Scotland. The number of congregations and clergymen belonging to that body rapidly increased, and have continued to increase till the present day.

Division of the Seceders into Burghers and Anti-burghers.—The seceders soon split among themselves. On being admitted a burgess in any royal burgh of Scotland, the following oath had to be taken:—"I protest before God and your lordships that I profess and allow with my heart the true religion presently professed within this realm, and authorised by the laws thereof: I shall abide thereat, and defend the same, to my life's end, renouncing the Roman religion called papistry." The ministers of the secession were divided in opinion respecting this oath. One party maintained there was no inconsistency in taking it, inasmuch as they considered the established church professed the true religion, notwithstanding its faults, and though they had

seceded from it: the other party espoused and defended the opposite opinion. A separation, in consequence, took place between them in 1747: the former party being named *burghers*; the latter *anti-burghers*. The two parties continued separate till 1821, when the burgess oath being generally dispensed with, or abolished, they again united, under the denomination of the *United Associate Synod of the Secession Church*. The associate synod now comprises 21 presbyteries, composed of 348 congregations, with an equal number of ministers, there being no collegiate churches belonging to the body.—(*The Rev. John Brown's* (of Haddington) *Hist. Acc. of the Rise and Progress of the Secession.*)

Number of Seceders.—On this subject we have no data for forming a correct opinion. It is supposed that, at an average, the number of members or communicants belonging to each congregation is about 400, exclusive of hearers, not communicants, and the children of communicants; and that these two exceed the number of members. Each congregation may therefore be supposed to average about 800 members, &c. In other words, the United Secession Church, including members, hearers, and children not communicants, may embrace a population of about 278,000. Some congregations consist of above 1,200 members, exclusive of hearers and children not communicants: and there are a few that are even larger. Others, particularly those in an incipient state, do not exceed 100; but there are few so small. The synod has recently issued a schedule, addressed to all its members, requiring information on these and other points. In addition to the 348 congregations previously mentioned, the Secession Church maintains, at its own expense, 50 missionary stations throughout Scotland, which are supplied with sermons either every Sunday, or twice or thrice a month; the number of such stations has hitherto been annually increasing. Including the numbers that attend these sermons, the aggregate number of persons belonging to the United Associate Synod cannot be under 320,000. The synod also devotes no inconsiderable portion of its funds (all raised by subscription or church collections "for religious purposes,") to the propagation of the Gospel in foreign parts. In addition to contributions to this fund, many congregations, particularly in the largest towns, support one or more local missionaries at their own expense. Of the exertions made by this body in support of schools, we shall speak under the proper head.

Constitution, &c.—The exposition previously given of the presbyterian polity applies to the associate synod. They have lay-elders, kirk sessions, and presbyteries; but, instead of a general assembly, they meet in synod twice a year, the synod being their supreme court. They abjure patronage; their ministers being chosen by the communicants of each congregation. They have the same confession of faith, and the same standards as the established church: they differ, in truth, from that church chiefly on the question of patronage; but are, generally speaking, stricter presbyterians and more rigid in discipline; they regard any connexion of ecclesiastical with civil rights as Erastian and unscriptural.

Course of Study for the Ministry.—The course of study in the secession church is nearly the same as that adopted by the establish-

ment. A student, previously to his admission to the theological seminary, requires to have gone through the same course of study as has been already described. The only exception is, that the study of natural philosophy may be deferred till after commencing the study of divinity, but the student must produce the certificate of the professor of that science, and be examined as to his proficiency in it, before being taken on trials for license. An examination in literature and philosophy, as well as an inquiry into religious and moral character by the presbytery, always precede admission to theological study. All students of divinity must be members in full communion. The secession has four professors of divinity, each giving instruction in one great department of theological science, or explanatory of the duties of the Christian ministry. 1. The professor of biblical literature, who prelects on the history, evidences, and general principles of interpretation of the sacred books, or what the Germans call *Hermeneutics*. 2. The professor of exegetical theology, who gives lectures, and conducts examinations on the more important portions of the sacred volume, particularly on the doctrinal epistles. 3. The professor of systematical theology. 4. The professor of pastoral theology, who instructs the students as to the best mode of conducting the duties of the Christian ministry, giving, also, an abstract of ecclesiastical history. The term of study is five years: the duration of the annual session two months. The students are usually from five to six hours a-day in the class-room. They are committed to the care of the professors of biblical literature and exegetical theology for the first two years; and to the professors of systematic and pastoral theology for the three last years of their course. During the long vacation of 10 months, they are under the care of their respective presbyteries, who call them before them, examine them as to their progress in their studies, and hear and criticise their exercises. The course of trials and examination, both on getting license and on induction to a living, is much the same as in the established church.

Stipends.—The stipends of the members of the secession church vary from 70*l.* a-year to 450*l.*: most of them range from 100*l.* to 200*l.*; and we shall not be far off the mark if we take 150*l.*, certainly not less than 130*l.*, as the average. In the country, in addition to the stipend, the minister is generally furnished with a dwelling-house. None of the ministers have, or ever had, a legal bond securing their incomes. An attempt is now being made to raise the minimum stipend to 100*l.*

Associate Synod of Original Seceders.—This body separated from the burgher denomination in 1806, in consequence of the opinions held by the latter respecting the total independence and incompatibility of the religious and civil authorities. The former recognise the validity of the connection between civil and ecclesiastical matters,—are in favour of a national church,—and on the occasion referred to, wished the Burgher Synod to publish a *testimony* suitable to the agitated state of the times. To this proposal the Burgher Association declined to accede: and hence the minority withdrew from all connection with them, and formed themselves into a presbytery, separate and distinct from their former associates, called, at first, *The Consti-*

tutional Associate Presbytery, but afterwards *The Associate Synod of Original Seceders*. This body now extends to six presbyteries, embracing 36 congregations: they have a professor of divinity of their own; but in all other respects, with the distinctive exception above stated as to the exercise of civil jurisdiction *circa sacra*, they are identical with the synod from which they withdrew. — (*M'Crie's Statement of the Difference, &c.*, Edin. 1807.)

Relief Synod.—The origin of this body was as follows:—In 1755, on occasion of a vacancy in the parish church of Jedburgh, the town council and the majority of the inhabitants applied to the patron for a presentation in favour of Mr. Boston, established minister of Oxnam. This application was unsuccessful; in consequence of which the parties in question, and the people generally, invited Mr. Boston to be their minister; and bound themselves to pay him a stipend of 120*l.* per annum. This invitation he accepted; and having afterwards (1758) been deposed by the General Assembly, he, with Mr. Gillespie, who had also been deposed for disobedience to the orders of the General Assembly, united, and founded the *Relief* Church; professing to differ from the established church on no point other than the right of patrons to appoint ministers against the inclinations of the people. The Relief Synod rapidly increased; and now comprises 10 presbyteries, including 109 congregations; being, in point of numbers and influence, next to the United Secession Church. Indeed, these two bodies (the Secession and the Relief,) are at present (1846) making overtures in the view of forming a union of the two denominations. The Relief Synod have a professor of divinity in their own connection.

Reformed Presbyterian Synod.—This is the only remaining presbyterian body in Scotland, of which an account has to be given. They are the successors and representatives of a small but interesting portion of presbyterians who would not accept the settlement of presbytery as established by law in 1690. They regard themselves as representing the *Covenanters* of the times of Charles I. and II. They kept, and still keep aloof from the church establishment, inasmuch as they refused to accept of any establishment of presbytery unless the King subscribed *the solemn league and covenant*, and the various standards of the church. They are also known by the names of *Cameronians*, from Cameron, one of their most eminent ministers in the time of Charles II.,—and of *hills-people* from the circumstance that, till within the last sixty years, they continued to hold public worship in the open air, in honour of their forefathers, who, in times of persecution, had been driven to the hills for safety: they are in favour of an established national religion on the terms referred to. They are perhaps the most rigid presbyterians in Scotland. They have a professor of theology in their own communion. Their synod consists of six presbyteries, embracing 37 congregations.

All the Scotch Presbyterians are Calvinists.—All these bodies of presbyterians now noticed are Calvinists, recognise the same confession of faith, and the same standards; and differ only on points of discipline, chiefly that of patronage, their religious tenets being identical.

Scotch Episcopal Church. — Though episcopacy was, at various periods, the established religion of Scotland, the number of episcopa-

nans is but small: they extend to six dioceses, including 89 chapels of which eight are collegiate; most part of these congregations are very limited, and are supported not so much by numbers as by some wealthy families in their several localities. They have long had a theological institution at Edinburgh for the education of young men for the ministry. But this seminary is about to be superseded by the erection of Trinity College, a splendid structure at Cairnies, about ten miles west of Perth, which is to be opened in the course of next year. Ample accommodation is provided, not merely for the professors, but for the residence of 350 students within the building; and the course of instruction is to embrace, not only instruction in theology, but in all the branches of a liberal education; it being intended for lay as well as clerical students. The building is to cost 45,000*l*. Episcopacy, we may state, though still very limited in extent, has been gaining ground in Scotland, particularly among the wealthier classes, within the last few years, or since the agitation in the established church began. No fewer than 17 new congregations have been organized within the last eight years, or nearly a fifth part of the whole; in addition to four chapels not connected with any diocese. They adhere to the standards of the episcopal church of England, but have otherwise no connection with, and are independent of, that church. There are eight episcopal chapels in Scotland, not connected with the Scotch episcopal communion.

Independent Churches. — The Independents, or *Congregational Union of Scotland*, extend nominally to about 100 congregations; but of these some are very small, and 34 are without clergymen. The total number of organized congregations may be estimated at about 70. A meeting of the Union takes place once a year in Edinburgh; when a deputation of ministers from the Congregational Union of England usually attends. The Independents generally are Calvinists.

Other Religious Sects.—There are various other religious sects in Scotland, namely, Baptists, Methodists, both Wesleyan and Primitive, Quakers, Bereans, Glassites or Sandemanians, Unitarians, New Jerusalemites, Jews, &c. A sect has recently sprung up, named *Rowites*, from the Rev. Mr. Campbell, minister of the parish of Row, in Dumbartonshire, its founder, deposed for heresy by the General Assembly in 1832. Rowism in Scotland is somewhat akin to what is known as *Irvingism* in England. The Rowites impute extraordinary influence to the Holy Spirit; and have laid claim, in some instances, to miraculous powers and to the gift of tongues. But their tenets have never been properly defined or formed into a regular system, nor have they gained many proselytes.

Roman Catholics.—Extent of the Roman Catholic Religion.—The Roman Catholic religion still prevails in Scotland to no inconsiderable extent. There are many places in the western highlands, and some of the western islands, where this religion has prevailed from the most remote times; and there are many old families throughout all parts of the country that still, in the midst of protestantism, adhere to the faith of their forefathers. Recently the great influx and settlement

of Irish poor has prodigiously increased the number of Catholics. The last bishop of the ancient Catholic hierarchy (James Beaton) died in 1603; and it was not till 1694, in the reign of William and Mary, that the pope appointed another bishop, with the powers of Vicar Apostolic over the Scotch Catholic church. Since that time there has been a regular succession of prelates. Scotland is at present divided into three dioceses, with a bishop to each: the eastern district, the western district, and the northern district. The eastern district contains 15 chapels, with 18 clergymen: the western district 28 chapels, with 42 clergymen: the northern district 23 chapels, with 29 clergymen; making altogether 66 stated places of worship, and 89 clergymen. But this statement communicates very inaccurate ideas as to the aggregate number of the Catholics, inasmuch as the priest of each chapel has the superintendence of a large district of country, often 50 miles in extent, with subordinate places of worship. Almost every priest, indeed, may be said to itinerate.—(*Catholic Directory for Scotland*, 1845.) It is supposed that the whole Catholic population of Scotland is not less than 145,000, including the children of Catholic parents. The Catholics in Glasgow alone amount to about 30,000; in Edinburgh to 12,000. Of the income of the Catholic clergymen, it is impossible to give an account. They have no fixed incomes: whatever they may be, they are derived solely from the contributions of their flocks.

Education.—After the Reformation, the Catholics destined for the church were compelled, owing to the severity of the penal laws, to seek education in foreign parts. For this purpose, seminaries were founded at Paris, Douay, Valladolid, Rome, and Ratisbon; from which the Scotch Catholic church still derives some benefit. There are, for example, funds sufficient at this moment at Paris to maintain 18 youths during their course of education. But within the last hundred years Catholic seminaries have been established in Scotland: of these the chief, till recently, were those of Lismore and Aquhorties; but the only existing seminary is that of St. Mary's College, Blairs, Kincardineshire. The plan of education comprises, along with the more elementary branches, Latin, Greek, French, and Italian, and Spanish if required; poetry, rhetoric, mathematics, philosophy in all its branches, and divinity. The seminary has a president, two professors, and a procurator. Students are received from eleven to sixteen years of age. The students intended for the church are maintained and educated *gratis* after the first year. But in the case of young men studying for the church, the seminary at Blairs is, in the majority of instances, used only as initiatory; the student going abroad to complete his education. A convent (St. Margaret's) was established in 1835, within a mile of Edinburgh; the object of which is to promote the education of young ladies,—particularly those of the higher classes,—and the relief of the destitute and the sick. Of the ladies or nuns, the majority are foreigners; the rest Scotch. In connection with the convent, a separate residence, with a charity school and dispensary annexed, has been provided in the Canongate, a suburb of Edinburgh.—(*Catholic Directory ut suprà.*)

Summary of the Religious State of Scotland.

	No. of Congregations.	No. of Churches.
Established Church (*Parish Churches*)		1023
Established Church (*Chapels of Ease to Parliamentary Churches*)		240
		1263
United Associate Synod	348	
Synod of Original Seceders	36	
Relief Synod	109	
Reformed Presbyterian Synod	37	
Free Church	607	
	—	1137
Majority of the Established Churches over all other Presbyterian bodies		126
Scottish Episcopal Church	89	
Episcopal Chapels, not connected with the Sc. Epis. Church	8	
Independents	70	
Other religious sects (*Protestant*)	40	
	— 207	
Total Number of Protestant Congregations in Scotland, the Established Church included		2607
Catholic Chapels		66
Total Number of Congregations (being about 1 to every 1000 persons)		2673

But for reasons similar to those already stated in reference to England, the number of churchmen, as compared with dissenters, is much greater than it would appear to be from this account of the number of congregations belonging to each. Perhaps the whole number of dissenters in Scotland, exclusive of the members of the free church, may amount to from 550,000 to 600,000, and including the free kirk, to from 1,100,000 to 1,200,000.

Sect. 6.—*Church of Ireland.*

The ecclesiastical arrangements that prevail in Ireland are at once anomalous and irrational. The Reformation never made any considerable progress in the country, the new doctrines being only espoused by the English settlers within the *pale*. But after protestantism had been adopted by the bulk of the English people, and had been made the established religion on this side the water, it was determined to establish it as the state religion in Ireland. In pursuance of this resolution, the Catholic clergy were ejected from their livings, which were bestowed upon divines attached to the doctrines of the church of England. This change did not, however, produce any corresponding change in the religious feelings of the people, who seemed, indeed, to become the more attached to their ancient faith, according as their clergy were treated with harshness and injustice. In every other country, the established religion, if there be one, is that of the great majority of the people; but in Ireland the established religion is, and long has been that of a small minority. It is alien to, and repudiated by nine-tenths of the population, who regard it as erroneous in principle, and as a usurpation upon the rights and property of their clergymen.

These feelings are natural; and it is nugatory to suppose that they should be got rid of, so long as the existing arrangements are maintained. A Catholic establishment in England would not, in fact, be more absurd than a Protestant establishment in Ireland; and so long as the latter is permitted exclusively to enjoy the revenues appropriated by the state for the support of religion, so long will it be an object of disgust and hostility to the Catholic people and clergy, that is, to the great majority of the nation, and be productive of the most implacable animosities.

Previously to the late regulations, affecting the established church in Ireland, the country was divided into four archbishoprics, corresponding nearly with the four civil provinces, and these were farther subdivided into 29 bishoprics, held by 18 bishops.

The bishoprics, with their incomes, were classed as follows, viz. :—

Ulster.	£.
Armagh	17,670
Meath and Clonmacnois	5,220
Clogher	10,371
Down and Connor	5,896
Derry	14,193
Raphoe	5,787
Kilmore	7,478
Dromore	4,813
Leinster.	
Dublin and Glandelagh	9,321
Kildare	6,452
Ossory	3,859
Ferns and Leighlin	6,550

Munster.	£.
Cashel and Emly	7,354
Limerick, Ardfert, Aghadoe	5,369
Waterford and Lismore	4,323
Cork and Ross	4,346
Cloyne	5,009
Killaloe and Kilfenora	
Connaught.	
Tuam and Ardagh	8,206
Elphin	7,034
Clonfert and Kilmacduagh	3,261
Killala and Achonry	4,082
Total Income	151,128

Under the newly modelled system introduced by the Church Temporalities Act, the 3 and 4 Will. IV., c. 37, the archbishoprics of Cashel and Tuam, have been reduced to bishoprics; and the kingdom has been divided into two archiepiscopal provinces, the north and the south, by a line drawn from the north of Dublin county, to the south of Galway Bay. It was then also enacted that the bishoprics should be reduced from 18 to 10, on the demise of the bishops, whose sees were to be suppressed, or united to others. These arrangements have since taken place in every instance except Kildare and Clogher. The dioceses and their incomes are now (1846) as follows, viz. :—

Northern Province.	£.
Armagh with Clogher	14,494
Meath and Clonmacnois	4,068
Derry and Raphoe	8,000
Down and Connor, and Dromore	4,204
Kilmore, Ardagh, and Elphin	6,253
Tuam, Killala, and Achonry	4,600
Total	41,619

Southern Province.	£.
Dublin, Glandelagh, and Kildare	7,786
Leighlin, Ferns, and Ossory	4,200
Cashel, Emly, Waterford, and Lismore	5,000
Cloyne, Cork, and Ross	3,590
Killaloe, Kilfenora, Clonfert, and Kilmacduagh	3,870
Limerick, Ardfert, and Aghadoe	4,970
Total	29,319

The income of Clogher is estimated at 8,668*l.*; that of Kildare, including the deanery of Christchurch, Dublin, at 6,000*l.* On the demise of the present bishops, the revenues of these sees will fall into the hands of the Ecclesiastical Commissioners. The total income of the two archbishops, and of their ten suffragan bishops, will then be 70,938*l.*, being an average of 5,911*l.* to each. The revenues of the sees already suppressed, were, in the year ending 1st August, 1844,—

	£.	s.	d.		£.	s.	d.
Ardagh	3,023	0	8	Waterford and Lismore	3,921	7	9
Elphin	6,702	9	6½	Cork and Ross	6,039	14	1
Dromore	5,075	9	8½	Clonfert and Kilmacduagh	2,407	16	0
Killala and Achonry	5,640	19	10				
Raphoe	6,337	4	0				
Ossory	3,565	0	0	Total	42,713	1	7

The revenues of the suppressed bishoprics, together with those of suspended dignities and benefices, and disappropriated tithes, have been vested by the Church Temporalities Act in a board of Ecclesiastical Commissioners, to be applied by them to the erection and repair of churches, the providing for church expenses which had previously been defrayed by vestry rates, and for other ecclesiastical purposes.

The total amount of the income of the various members of the Protestant episcopal church, during the three years ending with 1831, was returned to parliament as follows:—

	£.
Archbishops and Bishops	151,128
Deans and Chapters	1,043
Economy Estates of Cathedrals	11,056
Other subordinate Corporations	10,526
Dignities (not Episcopal) and Prebends without cure of souls	34,482
Glebe Lands	92,000
Tithes	555,000
Ministers' Money	10,300
Total	865,535

There seems, however, to be good grounds for thinking that the income of the archbishops and bishops given above was below the truth. It principally consists of the rent of lands let on lease, or rather on leases renewable by fine. The total extent of land belonging to the different sees has been returned to parliament at about 670,000 (669,274) acres. Now we have seen that the average rent of Ireland may be estimated at about 13*s.* 6*d.* an acre; and assuming the church estates to be only of a medium quality, which they are believed to exceed, they should on this hypothesis, be worth 452,250*l.* a year. But supposing that, owing to the defective system under which they are occupied, they only produce 6*s.* an acre; still, even at that extremely low rate, their gross rental would amount to 201,000*l.* At all events, it is sufficiently clear that the episcopal and glebe lands, if properly managed, would afford a revenue more than sufficient to provide for the religious instruction of the entire Protestant population of Ireland, without having recourse to any other funds.

We also incline to think that the amount of tithe given in the above statement was considerably underrated. The following statement laid by

Mr. Griffith, the engineer, before the Lords' Committee on tithe, throws a good deal of light on the subject. It can of course, however, be regarded only as an approximation. "Ireland is divided into four archbishoprics, 28 bishoprics, 2,450 parishes; and contains 20,400,000 statute acres. There are 1,422 beneficed clergymen; 1,539 parishes under the Composition Act, and 911 parishes not under the Composition Act. The

	£.	s.	d.
Gross amount of the composition for those parishes which have compounded for tithe is.	442,419	0	0
Average amount of the composition for those parishes which have compounded	287	9	6
Average proportion of the composition for tithe to 1*l.* sterling in the value of the land	0	1	3½
According to the best data I have been able to procure, and from my own knowledge of the value of land in Ireland, I am of opinion that the gross annual value of the land, rated at a moderate rent, may be about	12,715,578	0	0
Rating the average amount of the tithe at 1*s.* 3½*d.* in the pound sterling, of the value of land, it would appear that the gross amount of tithe in Ireland would be	821,214	16	7
(If all the lands in Ireland were liable to tithe, which is not the case, consequently the total amount is less than that sum.)			
If we take the average amount of the compositions for those parishes which have compounded, and multiply that sum by 2,450, the total number of parishes in Ireland, we shall have the sum of	704,313	15	0

"This is probably the nearest approximation to the true amount of the tithe in Ireland."

In addition to the unpopularity attaching to the church of England in Ireland, from its being the church of a minority, the fact of its deriving the largest portion of its income from tithes, tended materially to increase the odium under which it has long laboured. Tithe is everywhere a most vexatious and impolitic tax; but in Ireland it has been peculiarly noxious; for there the land being mostly split into small portions occupied by poor Catholic cottiers, the payment of tithe to Protestant clergymen, was not only felt to be a most oppressive burden, but was at the same time looked upon as a sacrifice imposed for the promotion and advantage of heresy and error. It was also very unfairly assessed. By a resolution of the Irish House of Commons in 1735, grass lands obtained an exemption from tithe; so that while a tenth part of the produce of a potato garden or slip of land, on which, perhaps, a numerous family was dependent, went to the establishment, the herds of the opulent grazier contributed nothing to its support. Under such circumstances, we need not wonder that, for a lengthened period, the payment of tithes in Ireland was made with extreme reluctance, and that their collection was, in innumerable instances, productive of outrage and bloodshed. At last it became next to impossible, in many parts of the kingdom, to derive any revenue from this source; and in consequence it was attempted to substitute compositions or fixed payments for tithes, in the room of tithes themselves. But, though productive of some advantage, this measure was comparatively useless, from its leaving the composition to be paid by the occupier and not by the landlord. To obviate this defect, an act

was passed in 1838 (1 and 2 Victoria, cap. 109,) abolishing compositions for tithes, and substituting in their stead a fixed payment of *three-fourths* of their amount, to be made by the landlords or others having a perpetual interest in the land. This Act, by relieving the tithe-collector from the necessity of coming into contact with the great bulk of the occupiers, has obviated a prolific source of prædial disturbance, and been, in so far, advantageous. Still, however, it must not be supposed that either this, or any other device, should ever reconcile the Irish people to the appropriation of a large revenue to the exclusive use of the church of a small minority of their number. The effect of this preposterous arrangement is to insult and alienate the bulk of the population, who, we hesitate not to say, would be more or less than men if it ceased to encounter their rooted hostility.

The ecclesiastical dignitaries subordinate to the bishops, are the deans, which are all presented by the crown, except those of St. Patrick's, Dublin, and Kildare. Certain deans have cure of souls, and others have not. The deans of St. Patrick's, Dublin; Christchurch, Dublin; St. Canice, Kilkenny; and Lismore, exercise peculiar jurisdictions, varying in each, within their respective deaneries. The dean is considered to be the head of the ecclesiastical corporations, called chapters, being a kind of council to aid the bishop in the government of his diocese. Three dioceses—Meath, Kilmore, and Ardagh—are without chapters; in lieu of which there is a synod, consisting of all the beneficed clergymen, in which the archdeacon presides. The chapters and synods are corporate bodies, and use a common seal. The chapters, though all have a general similarity of constitution, are each marked by some special peculiarity.

There is but one instance of a territorial exemption from episcopal jurisdiction,—the Lordship of Newry; the proprietor of which holds his spiritual court, and grants marriage licenses and probates of wills, under the seal of the religious house to which the lordship belonged before the Reformation.

The dioceses are divided into parishes, in the charge of rectors and vicars. These derive their incomes chiefly from tithe; of which there are two kinds,—great and small; the former derived from corn of every kind, hay and wool; the latter from flax, hemp, garden produce, and, in some cases, potatoes; but by another and more general explanation of these terms, two-thirds of the tithe of corn, hay, and wool, constitute the great tithe, and the remaining third the small tithe of a parish: the former is considered the property of the rector, the latter of the vicar. Latterly, a new order of parochial clergy has been introduced into the church, under the name of perpetual curates, who have charge of a portion of a parish specially allotted to them, the tithe of which they receive. They are not subject to the incumbent of the remaining portion of the parish, and hold their situations for life; thus differing from assistant curates, who are appointed occasionally at the will of the incumbent, from whom they receive a fixed annual salary. It appears from the report of the Irish Church Commissioners that the number of parishes, including perpetual curacies, is 2,405, of which 2,348 have provision for the cure of souls, and 57 have not, being either wholly impropriate, or tithe free. But these are not held each by

a separate incumbent. On the contrary, so many of them are combined into unions, consisting of two or more parishes, that the number of incumbents amounts to only 1,385. Of these benefices, 478 are unions, and 907 single parishes. Unions are of two kinds—permanent and temporary. A permanent union may be constituted by act of parliament, by charter, by act of council, or by prescription. The temporary unions are made by the authority of the bishop, and cease on the demise of the incumbents for whose benefit they were created. The parochial clergy derive part of their income from glebe land attached to their respective benefices. The total quantity of glebe land amounts to 91,137 acres, from which if a twentieth part be deducted as unprofitable, there will remain 86,581 acres of profitable land; which if equally apportioned among the benefices would give, at an average, 62 acres to each incumbent. But it is very unequally distributed, by much the greater quantity of it lying in the northern province of Armagh. Most of the glebes are furnished with manses or glebe houses, built partly by a donation of money from the board of First Fruits; partly by loan from the same source, and partly at the cost of the incumbent, repayable by instalments from his successors. In cities and towns the parochial clergy are paid by ministers' money, being an assessment on every house of a certain value, estimated by the amount of rent paid.

When the Church Temporalities Act comes into full operation, the number and value of the benefices in Ireland, will be,—

488	under the annual value of	£150	21	of	£750 and under £850
390	of £150 and under	300	13	of	850 and under 1,000
278	of 300 and under	450	8	of	1,000 and under 1,100
117	of 450 and under	550	4	of	1,100 and under 1,250
73	of 550 and under	750	3	of	1,250 and under 1,500

The incomes of the parochial clergy are subject to certain deductions. These are, first fruits, payments towards diocesan and parochial schools, repairs of certain parts of the churches, and repairs of glebe houses. The first fruits were designed to be the amount of the first year's income of every benefice, payable by the new incumbent in four annual instalments, and intended to be applied to ecclesiastical purposes, especially the building and repairing of churches and glebe houses, and the purchase of glebe land. But as the amount on each parish was rated according to assessments, made in the time of Henry VIII., Elizabeth, and James I., which have never since been altered, notwithstanding the extraordinary increase in the value of agricultural produce, the impost was little more than nominal, and has been suppressed by the late acts for regulating church property. The diocesan schools were to be maintained by annual contributions from the bishop and the beneficed clergy: the particulars are specified in the statement relative to these schools. The levy drawn from this source is also little more than nominal. The parochial schools are supposed to be maintained by an annual stipend from the incumbent, which is estimated by custom at two pounds per annum. In many cases this has not been paid. Every incumbent is bound to keep his glebe house in tenantable order; to enforce which regulation, the bishop appoints a certain number of temporary officers under the

name of rural deans, whose duty it is to visit the several parishes within their respective districts, and to report to him upon the state of the churches and of the glebe houses. The churches were heretofore kept in repair at the expense of the inhabitants of the parish. The new regulations have transferred this duty to the ecclesiastical commissioners, who are authorized to appropriate to this purpose a sufficient portion of the incomes of the extinguished sees, and other revenues in their hands.

SECT. 7.—*Irish Roman Catholics, Presbyterians, &c.*

1. *The Roman Catholic Church.*—The Roman Catholic hierarchy consists of four archbishops, corresponding in name and provincial rank to the archbishops of the Protestant Church, previously to the late changes, and twenty-three bishops. The bishops of Ardagh, Clogher, Derry, Down and Connor, Dromore, Kilmore, Meath and Raphoe, are suffragan to Armagh; those of Kildare and Leighlin, Ferns, and Ossory, to Dublin; Ardfert and Aghadoe, Cloyne and Ross, Cork, Killaloe, Limerick, Waterford and Lismore, to Cashel; and Achonry, Clonfert, Killala, and Galway, to Tuam. The bishop of the united dioceses of Kilmacduagh and Kilfenora, is alternately suffragan to the archbishops of Tuam and Cashel. The wardenship of Galway, formerly an exempt jurisdiction, subject only to the triennial visitation of the archbishop of Tuam, has been erected into a bishopric under its former archiepiscopal jurisdiction. On the death of a bishop, the clergy of the diocese elect a vicar capitular, who exercises spiritual jurisdiction during the vacancy. They also nominate one of their own body, or sometimes a stranger, successor to the vacancy, in whose favour they postulate or petition the pope. The bishops of the province also present the names of two or three eligible persons to the pope. The new bishop is generally chosen from among this latter number. But the appointment virtually rests with the cardinals of the congregation *de propaganda fide*. Their nomination is submitted to the pope, by whom it is usually confirmed. In cases of old age or infirmity, the bishop nominates a coadjutor, to discharge the episcopal duties in his stead. His recommendation is almost invariably attended to. The object of his choice is appointed and consecrated, and takes his title from some oriental diocese, which he relinquishes on succeeding to the diocese in which he acts. As long as he retains the oriental title, he is styled a bishop *in partibus infidelium*, or more usually, a bishop *in partibus*. The emoluments of a bishop arise from his parish, —which is generally the best in the diocese,—from licenses, and from the cathedraticum. Licenses are dispensations from the publication of banns in cases of marriage. They vary in amount from 5*s*. to 1*l*., and occasionally more, according to the circumstances of the contracting parties; and as the dislike to a previous public announcement of the marriage ceremony is very prevalent, the income from this source is considerable. The cathedraticum is an annual sum varying from 2*l*. to 10*l*., according to the value of the parish, paid by the incumbent in aid of the maintenance of the episcopal dignity.

Every diocese has a dean, appointed by the cardinal in Rome, who

has the direction of ecclesiastical matters in Ireland, and is called the cardinal protector. It has also an archdeacon appointed by the bishop. Both these dignities are merely nominal, without either jurisdiction or emolument.

The incumbents of parishes are appointed by the bishop. If regularly collated, or in peaceable possession of the benefice for three years, they cannot be dispossessed, except for misconduct; otherwise they are removable at pleasure. A collation is a written nomination by the bishop. Coadjutors, or parish curates, are also appointed by the bishop, and removable by him at pleasure. The income of the parochial clergy arises from various sources, all voluntary. The Easter and Christmas dues consist of a certain sum paid by the head of every family in consideration of the spiritual instructions given to it. In country parishes it is generally 1*s.* at each festival, but is always expected to increase in proportion to the pecuniary circumstances of the parishioner. Marriage fees are another source of income. They are generally fixed at 10*s.* 6*d.*, but increase in proportion to the opulence of the parties; and, in addition to this, a collection is often made by the friends of the young couple, for the benefit of the officiating clergyman. The fee for baptisms is 2*s.* 6*d.* A small sum is sometimes given for visiting the sick. Masses are paid for at rates from 2*s.* upwards. The opulent parishioners also send presents of corn, hay, and other agricultural produce to their clergyman, and generally take care that his turf shall be cut, his grain reaped, and his grass mowed, without expense to himself. Stations are half-yearly meetings at places appointed by the parish priest, where he hears confessions, administers communion, and catechises. A dinner is prepared for him in every house at which he holds a station. The customary stipend of a curate is the third part of the general receipts of the parish.

Monasteries and convents are numerous. Many of these institutions derive considerable funds from voluntary donations. The nunneries are supported partly by the sums paid by those who take the vows in them, for which from 300*l.* to 400*l.* is usually given, and partly from the annual fees or pensions paid for the education of the daughters of respectable Roman Catholics. The income derived from this latter source is very considerable.

2. *Presbyterian Church.*—The general government of the Presbyterian and other Protestant dissenting churches is modelled upon that of the church of Scotland. The spiritual affairs of every congregation are superintended by a minister, aided in matters of finance and discipline by lay elders. The ministers of a certain number of neighbouring congregations form a presbytery, of which lay elders also constitute a part. Each presbytery is governed by a moderator chosen from the ministers of its congregations, who hold stated meetings four times a year. Representatives chosen by these presbyteries form the ruling body of the church. It is called the synod; its president being a minister chosen annually under the name of moderator. The first presbytery in Ireland was formed at Carrickfergus in 1642, and gave rise to the synod of Ulster. The Presbyterian synod of Munster was formed about 1660. The presbytery of Antrim separated from the synod of Ulster in 1727, and the Remonstrant synod in 1829. A number

of seceders formed themselves into the Secession synod of Ireland about 1780. Previously to 1840 the number of presbyteries and congregations in each of these bodies was—

	Presb.	Congreg.
General Synod of Ulster	24	275
Secession Synod . .	10	132
Remonstrant Synod ..	4	27

	Presb.	Congreg.
Presbyterian Synod of Munster	2	15
Presbytery of Antrim . .	1	13

In 1840 the General and Secession synods having united, assumed the name of the General Assembly of the Presbyterian Church in Ireland, comprising 433 congregations, which were arranged under 35 presbyteries.

Another body, unconnected with the union, is the Reformed Presbyterian synod of Ireland, consisting, in 1841, of 4 presbyteries and 25 congregations. The total number of Presbyterians in 1834 was 642,356. The ministers are supported by voluntary contributions, the rents of seats or pews, and the *Regium Donum*, or Royal Gift, first granted in 1672 by Charles II., who gave 600*l.* of "secret service money" to be distributed in equal portions among them annually. The grant was discontinued towards the close of his reign and during that of James II., but was renewed by William III., who augmented it to 1,200*l.* a year. In 1784 the amount was increased to 2,200*l.*; in 1792 to 5,000*l.*; and in 1803 a classification was made according to the number of families in each congregation, and the amount of the minister's voluntary stipend, by which those of the 1st class received 100*l.* annually; of the 2nd, 75*l.*; and of the 3rd, 50*l.* By gradual augmentations the Regium Donum has increased to upwards of 25,000*l.* a year. In 1831 the system of classification was abolished, and each minister now receives 75*l.* per annum, Irish currency.

The Remonstrant Presbyterian synod was formed in May, 1830, in consequence of the separation of 17 ministers, with their congregations, from the General Synod of Ulster, on the ground that, contrary to its usages and code of discipline, it required from its members in 1827 and 1828, submission to certain doctrinal tests and overtures of human invention. Since the formation of the Remonstrant synod, 12 congregations have been added to its numbers. There are some other descriptions of Presbyterians in Ireland, which it seems unnecessary to specify. Those wishing further information on this subject may consult *Thom's Dublin Almanac*, the best work of its class with which we are acquainted. We have been indebted to it for most part of the foregoing statements on this subject.

3. *Numbers belonging to the different Sects in Ireland.*—Considering the nature of the penal laws by which the Catholics of Ireland were long oppressed, and that, notwithstanding their relaxation, the Catholics continued, down to a recent period, to be regarded by those in authority as a degraded *caste* unworthy to fill any office of power or emolument, it might have been expected that their numbers would have been materially diminished, compared at least with the adherents of other and more favoured sects. But such has not been the case. On the contrary, the unmerited persecution to which the Catholics have been exposed seems to have attached them the more to the faith of their ancestors: and, instead of declining, they have rapidly gained ground,

both in absolute numbers and in relation to others. It may be truly said of Catholicism in Ireland,—

Per damna per cædes, ab ipso
Ducit opes, animumque ferro.

According to Sir William Petty, the population of Ireland, in 1676, amounted to 1,100,000, of whom 800,000 were Catholics, and 300,000 Protestants.* The revolutionary struggle that soon after took place, and the migration of Catholics by which it was followed, and which was further promoted by the enactment of the penal laws, seem to have had a considerable effect on the proportion of Catholics. According to an official return made to Parliament in 1731, the population of Ireland was as follows:—

	Protestants.		Catholics.		Both.
Ulster	360,630	700,451	158,028	1,309,768	2,011,219*
Leinster	203,087		447,916		
Munster	115,130		482,044		
Connaught	21,604		221,780		

But since this epoch, a very decided change has progressively taken place in the proportions of Catholics and Protestants. The increase of population in Ireland since 1780 has, as we have already seen (vol. i. p. 437, &c.), been more rapid than in either England or Scotland; and this increase having principally taken place in the country, the population of which was, in most parts, essentially Catholic, the adherents of the latter faith were, in 1834, to all descriptions of Protestants in the proportion of 4·2 to 1, and to the members of the Established Church as 7½ to 1.

These results (which cannot have been sensibly changed in the interval) have been deduced from the following table, drawn up by the Commissioners appointed to inquire into the State of Religious and other Instruction in Ireland:—

Table exhibiting the Number of Members of the Established Church, and of Roman Catholics, Presbyterians, and other Protestant Dissenters respectively in each Province of Ireland, and in the whole Kingdom, in 1834.

Ireland.	Members Established Church.	Roman Catholics.	Presbyterians.	Other Protestant Dissenters.	Total of all Sects.
Province of Armagh . . .	517,722	1,955,123	638,073	15,823	3,126,741
,, Dublin . . .	177,930	1,063,681	2,517	3,162	1,247,290
,, Cashel . . .	111,813	2,220,340	966	2,454	2,335,573
,, Tuam . . .	44,599	1,188,568	800	369	1,234,336
Total Population of Ireland	852,064	6,427,712	642,356	21,808	7,943,940

The statements now laid before the reader disclose the principal sources of those religious disputes by which Ireland has been so long agitated and disgraced. She is the only European country in which the religion of a small minority of the population has been exclusively

* Political Anatomy of Ireland, p. 114, ed. 1719.

* Newenham on the Circumstances of Ireland, Appendix, p. 18.

endowed and made the state religion. This preposterous arrangement subverts every argument alleged in defence of an establishment. Its ablest defenders, Drs. Warburton and Paley, distinctly admit that it is not instituted to promote the interests of what government may suppose to be the *true faith*; and that its only legitimate object is to furnish instruction and consolation, according to their own religious faith, to the bulk of the population, and especially to the lower classes, many of whom are so poor as to be unable to furnish it for themselves. But in Ireland we act in the teeth of this principle, and indeed, of the obvious dictates of common sense. There the adherents of the Established Church do not exceed *one ninth part* of the population; and this small minority consists almost entirely of the wealthier classes, who could, without difficulty, supply themselves with religious instruction. While, however, we have amply and, indeed, lavishly provided for the spiritual interests of the *rich* and the *few*, we have altogether neglected those of the *poor* and the *many!* We leave the clergy of the Catholics, that is, of more than five-sixths of the people, without any countenance from government, to depend for support on the voluntary contributions of their flocks, consisting, for the most part, of the poorest and most beggarly peasantry in Europe. And we have also seen that the Catholic population have not merely been left to provide themselves with religious instructors, but that they were farther compelled, down to a very recent period, to pay tithes; that is, to make over a tenth part of the produce of their farms and potato gardens to the established clergy, who, at the same time, were, and continue to be, in possession of all the extensive estates and glebe lands that formerly belonged to the Catholic clergy! Can we wonder, under such circumstances, at the rooted dislike and hostility evinced by the Catholic population to the Established Church? They do not look upon it as heretical only, but as the badge of the conquest of their country by England, and as being bottomed upon and upheld by injustice and oppression. The improvement in the assessment of tithe, and the reform of the Church, may lessen the dislike to it; but the radical objection to it is one of principle. So long as it exists, it must produce a sense of degradation and of unfair treatment on the one side, and of superiority and preference on the other. A majority may submit without much reluctance to see the same privileges conferred on a minority that they enjoy; but it is a contradiction and an absurdity to imagine that a decisive majority should ever willingly submit to be deprived of privileges enjoyed by a minority. A distinction of this sort is at variance with every principle on which society is founded: and, so long as it is kept up, it must necessarily be productive of violent animosities.

"It is ever to be remembered, in discussing the ecclesiastical state of Ireland, that the objections of the Roman Catholics to the Established Church of that country are not of *more* or *less*; that they would not be removed by the abolition of a few bishoprics, or the paring down of a few benefices; but that they lie against its very existence,—against the principle of making a public provision in Ireland for the clergy of the small minority, so long as the clergy of the large majority is left wholly destitute of aid from public funds. No im-

provements in the internal economy of the Established Church, in the distribution of its revenues, or the discipline of its clergy, tend to lessen the sense of grievance arising from this source; the objection is of *principle*, not of *degree*; and nothing short of perfect equality in the treatment of all religious sects will satisfy the persons whose discontent springs from this source. The effect of the preference in question is, that the whole body of Roman Catholics in Ireland are more or less alienated from the government, the author of their wrong, and are filled with jealousy and ill-will towards the more favoured Protestants. This feeling is the stronger, as the Roman Catholics are the most numerous sect in Ireland, and have, therefore, the better claim on the consideration of government. In England, where their number is insignificant as compared with that of the entire population, they defer to those superior claims for public support which the clergy of the Established Church are so fond of resting on—the numerical preponderance of their persuasion; but in Ireland, six and a half millions out of eight millions naturally feel that they have at least as good a right as any other sect to any endowment for ecclesiastical purposes which may be at the command of the State." *

For these and other reasons that will readily occur to the reader, we are clearly of opinion that the preferences that have hitherto existed in Ireland in religious matters should be put an end to. If there is to be only one endowed or favoured religion in Ireland, common sense would say that the Roman Catholic should have the preference. Why should it not enjoy the same favour in Ireland that the Presbyterian enjoys, because it is the religion of the majority, in Scotland? It is true, indeed, that the Catholic leaders, and even the clergy, pretend to disapprove of the proposal for the endowment of their church, and affirm they would be satisfied with the general establishment of the voluntary principle. We, however, attach little or no value to this opposition. Those who of late years have had the ascendancy among the Catholics, have rarely supported any measure fitted to promote the real interests of the country. They know that an endowed clergy would, most likely, be opposed to their projects; and the clergy are themselves compelled from their peculiar position to appear to approve of what, under other circumstances, they could hardly fail to condemn. But, admitting that the establishment of the voluntary system would be a vast improvement upon the present preposterous arrangements, the question is, would it be good policy to leave the Catholic clergy to depend in time to come, as they have done since the Reformation, on the stinted contributions of their flocks? The public interests require that they should be attached to the government; and does any one doubt that this will be best effected by providing, at the public expense, for their liberal support? At present they are in a state of degrading dependence on those who attend their ministrations. They dare not, how much soever they may disapprove of many of their opinions, publicly oppose them, except at the risk of being mulcted of a portion of their incomes.

Wherever they are kindly treated the Catholic clergy are the firmest

* See the valuable work of G. C. Lewis, Esq., on *Disturbances in Ireland*, p. 513, &c.

friends of government, and of the laws; and no doubt they would be so in Ireland were they patronised and paid by the public. The countenance many of them have given to the Repeal agitation, and their opposition to the National System of Education, are the necessary results of their false position. Had they possessed a "stake in the hedge," and been directly interested in the stability of the present order of things, their conduct would, no doubt, have been widely different; and the demagogues who wish to dismember the empire, as well as those whose baser object is to enrich themselves by agitation, would have encountered the opposition, instead of having the support, of the majority of the Catholic clergy. Hence in our view of the matter the best interests of the State require that ample provision should be made for the latter. And having already conceded the principle in providing for the better education of the aspirants to the priesthood, we are bound, in consistency, to carry it out by making a provision for the priests. Unless this be done, the clergy will continue to be exposed to the full force of all the sinister influences which have had so powerful an effect upon their conduct; which have made them the slaves rather than the guides of their hearers; the abettors and not the opponents of agitation. Notwithstanding the many prejudices it will have to overcome, our conviction is, that in the end the establishment of the Catholic clergy will be found to be indispensable to the tranquillity and security of Ireland. At all events no means should be left untried by which their affection and good-will may be conciliated. And, certainly this desirable end will be more likely to be effected by their endowment than by the universal establishment of the voluntary principle. The latter would be a measure of doubtful policy; and though we incline to think that it would be decidedly preferable to the existing system, we have no idea that it would be half so beneficial as an endowment. There is a wide difference between being attached to the State by substantial benefits, and being left, in common with others, to shift for oneself without countenance or protection of any kind.

PART V.

MISCELLANEOUS PARTICULARS.

CHAPTER I.—Establishments for Public Education.

Sect. 1.—*Education in England and Wales.*

No public or general provision has ever been made in England for the education of the great bulk of the people. Until a late period all that had been accomplished in this way had been the work of benevolent individuals and associations; and it is astonishing how much has been effected within the present century by their exertions. Still, however, there is much room for improvement. The different associations act frequently on contradictory principles; and being necessarily confined to

towns and populous districts, no inconsiderable portion of the children of the agricultural classes are yet either entirely without the means of school instruction, or are but indifferently supplied with it. And, how extensively soever charity schools may be supplied, they are accompanied with some considerable drawbacks. Something of degradation always attaches to the idea of being educated at a school supported either wholly or in part by voluntary subscriptions. Those who send their children to such schools, and even the children themselves, cannot but feel that they are admitted to them only because they are, in some degree, paupers, indebted to the bounty of others for what they cannot obtain for themselves; and this feeling has a tendency to weaken that sense of independence, and of self-respect, for the want of which the best education cannot fully compensate. In other respects, too, the charity system is open to various objections. Mr. Malthus did not scruple to say, that it was a national disgrace to England that the education of the bulk of the people should be left to Sunday and other schools, supported by the subscriptions of individuals, who may give to the course of instruction in them whatever bias they please.* We are disposed to concur, with but little qualification, in this opinion. The attention of the legislature cannot, as it appears to us, be too early or earnestly directed to this subject. The experience of Scotland, Prussia, the United States, and various other countries, is decisive in regard to the vast advantages to be derived from the establishment of a well contrived system of national education—a system that should bring education to the door, as it were, of the poor man, and supply individuals of all classes with the means of obtaining *really good and useful* instruction at a reasonable cost.

At the same time, however, it must be admitted that it is exceedingly difficult to suggest any plan for a national system of education against which many weighty objections may not be fairly urged. Suppose it were enacted that a school for the elementary branches of education should be founded and endowed by government in every parish, or other convenient district, the knotty questions would immediately occur, whether shall any; and, if any, what system of religious instruction, be introduced into these schools? To whom shall the drawing up or choice of class books be intrusted? Shall the same class books, and the same plan of instruction, be adopted in all the schools, or, if not, how and to what extent shall they be varied? Shall it be compulsory on parents, as in Prussia, to send their children to school, or shall it be optional? In whom shall the appointment of schoolmasters be vested, and what shall be the test of their qualifications? These and other questions of the same kind, involving considerations of the highest importance, must all be investigated and disposed of, in one way or other, before any system of national education can be established. But so many and such formidable objections, originating partly in the difficulties inherent in the subject, and partly and principally in the discordant views and prejudices of the different religious sects and political parties amongst us, might be, and no doubt would be, made to every proposal for a national system of education, that, however beneficial, there are but slender grounds on which to hope for its establishment.

*. Essay on Population, 5th ed. vol. iii. p. 204.

Various charity schools for the elementary instruction of the poor were founded at different periods between 1690 and 1780; but it was not till about the latter epoch that the desultory efforts of benevolent individuals began to be systematised, and that exertions were made on a large scale, to procure for the poor the inestimable advantage of elementary instruction.

At present the primary instruction of the great mass of the population is principally supplied through,—1. Sunday-schools; 2. National Schools; and 3. British and Foreign Schools.

1. *Sunday Schools.*—These excellent institutions, which have contributed essentially to the improvement of the lower classes, were projected by, and owe their origin to, the sagacity and active benevolence of Mr. Robert Raikes, a printer of Gloucester. Mr. Raikes established Sunday schools in Gloucester in 1781 and 1782. The plan was soon after patronised by Dr. Barrington, then Bishop of Salisbury, and by many other reverend and learned individuals. Though still capable of much extension, it has been eminently successful; and has been carried to an extent which, at the outset, no one could have anticipated. The pupils are instructed in the principles and duties of religion, and are taught to read and write; they consist of adults as well as children. The meetings are generally in the afternoon of Sunday; so that, while they supply valuable instruction to the poor, they do not encroach on their employments, but make that time be devoted to the acquisition of knowledge that would otherwise be, most probably, wasted in idleness or dissipation.

2. *National Schools.*—Under this term is comprised a great number of schools, both new and old, conducted under what is termed the National System. This system originated in the efforts of various district societies, in different parts of the kingdom, to apply the principles of Dr. Bell, of Madras, to the government of the existing parochial free schools. In 1811 the different district societies were incorporated as members of a central association, for the education of youth in the doctrines of the national church. This society having acquired large funds, has been able, in the course of the present century, to found a large number of additional schools, in which education is given at a slight expense to the parents; with model schools (such as on the continent are termed Normal schools) for the instruction of masters and mistresses. The schools, therefore, under the management of the National Society are of two classes: the old parochial and free schools, and those of modern foundation, consisting of daily and Sunday schools. The characteristic of the system is, the use of the church catechism, and attendance on church worship by the children. The progress of the National Schools, since 1813, two years after the formation of the society, has, if we may depend upon their accounts, been as follows:—1813, 230 schools, with 40,484 children; 1820, 1,614 schools, with about 200,000 scholars; 1830, 2,609 *places*, containing 3,670 schools, with about 346,000 scholars; and since then their progress has been quite as rapid. But though there can be no doubt that these statements are much exaggerated, it must be admitted that the National Schools have contributed most materially to diffuse the advantages of

education. The society has expended very large sums in erecting and improving school-houses.

3. *The British and Foreign School Society* was founded in 1810. It arose out of the exertions of Mr. Joseph Lancaster. It is designed to promote the education of the working classes of every sect and denomination; and to facilitate this grand object, all religious tests are excluded, and no catechism or creed is allowed to be used in any of the schools. This society maintains a considerable number of schools in all parts of the country; and has established, in the Borough, a model school, on a large scale, and an establishment for the instruction of masters. Different opinions are, of course, entertained as to the distinguishing principle on which these schools are founded; but the education they afford is favourably spoken of by good judges. Mr. Pillans of Edinburgh, an excellent authority as to such subjects, says that the instruction given in the Lancastrian schools is very superior; that "there is much more play given to the faculties, more spirit in the instruction, and a vastly greater fund of knowledge acquired," than in most other schools.—(*Report on Education*, 1834, p. 42.)

In 1833 certain returns were published by the House of Commons of the various Sunday and other schools open for the education of the public in England and Wales. We inserted these returns in the last edition of this work, with an intimation that we considered them as "greatly exaggerated," and but little to be depended on. And it has since been shown, over and over again, that they were entitled to little or no credit. Mr. Haly, the secretary to the Southwark fund for schools, who has given much attention to the subject, supposes that in England and Wales, in 1833, provision had been made (exclusive of Sunday and endowed schools, see *post*) for the education of about 400,000 pupils;* taking it, however, at 500,000, and supposing provision to have been made in the interval for an additional 500,000, the existing accommodation will be equal (exclusive of the endowed schools) to the wants of 1,000,000 scholars. But the population of England and Wales may at present (1846) be roughly estimated at 17,000,000, of whom about 2,500,000 may be of an age suitable to attend at school; and such being the case, it will follow, allowing for the attendance at endowed schools, that before the population be fully educated, provision will require to be made, in addition to that already in existence, for the instruction of, at least, 1,000,000 young persons! and, supposing each school to have at an average about 150 pupils, 6,600 new schools will be necessary to supply the deficit!

Though government has not been able to organise any system of national education, it has, within these few years, adopted a plan by which it has done a good deal to promote instruction without exciting the opposition that would have been called forth by its direct interference with existing systems. Parliament votes annually a sum for the promotion of education, the disposal of which is vested in the Committee of Council for Education. Hitherto the grants have been principally disposed of in advances towards the erecting of school-houses, but latterly, also, contributions have been made to the erection of

* *Education, &c.* by W. T. Haly, Esq., p. 15.

houses for the masters. The grants to schools are at the rate of 1*l.* per head for every child in attendance, whether the school be for infants or more advanced pupils. Applications for these grants must be made by the promoters of the school through the National Society, or the British and Foreign School Society. The principal condition annexed to a grant is that the school so assisted shall be open to the visits and examinations of a government inspector. This condition, though of essential importance, was for a lengthened period the subject of much discussion; and it was not without great difficulty that, in 1839, the matter was adjusted. According to the present arrangement, the inspectors of the National Schools are clergymen nominated by the Committee of Education and approved by the Archbishop of Canterbury. All National Schools which have received grants are open to their inspection; and those which have not been assisted may be visited by the inspectors upon application to the trustees, with the sanction of the bishop of the diocese. In the case of the British and Foreign Schools the inspectors are laymen.—(*Haly*, p. 11.)

The inspection, as will easily be seen from these statements, is, in the case at least of the National Schools, in many respects defective. But such as it is, it has been productive of the best effects, by exhibiting the wretched state of not a few schools, which the public had been led to suppose were all but models of perfection. The establishment of a really efficient system of inspection, that should be applicable to all descriptions of schools, whether public or private, would, of itself, be an immense improvement. It would do more than anything else to expose and root out the ignorance and quackery so very prevalent amongst the masters and keepers of schools and other seminaries.

The grants to the Committee of Council have been as under, viz.:—

	£.	
From 1839 to 1842 . . .	30,000	per annum.
From 1843 to 1844 . . .	40,000	,,
In 1845	75,000	,,
In 1846	100,000	,,

But to be fully effectual, the grant would require to be increased to 200,000*l.* or 300,000*l.* a year. At present the deficient supply of properly qualified teachers is the greatest drawback on the existing schools, and the greatest obstacle to the spread of new ones; and it would be of material service were government to endeavour to supply this deficiency by establishing schools in different parts of the country for the training of schoolmasters and schoolmistresses. Some addition should also, if practicable, be made to the emoluments of the teachers. Unless this be done, it will be idle to expect that properly qualified parties will devote themselves to the business of teaching.

Free, Endowed, and Grammar Schools.—The names, free school, endowed school, grammar school, &c., are often used with some degree of confusion; but their proper meaning appears to be as follows:—A free school is, strictly, any school in which elementary instruction is afforded gratuitously (or nearly so) to the children of a particular locality, without reference to the source whence the funds are derived, whether from private subscriptions, as in many of our parochial schools, &c., or as in some corporate towns, from the

general property of the corporation. Endowed schools are those of which the expenses are wholly or partly defrayed out of endowments, given or bequeathed by the munificence of a founder. Grammar schools are endowed schools, to the constitution of which the founder has annexed the condition, that classical instruction should form either the whole or a part of their discipline.

The English free and endowed schools constitute a very peculiar feature in the educational establishments of this country. They afford, perhaps, the only example at present subsisting in Europe, of an extensive, numerous, and wealthy class of national foundations for the purpose of elementary instruction, in which the hand of government has never interfered to modify, reform, or direct, or in any way to alter the original disposition of their creators, except in a few insulated instances in which parliament or judicial tribunals have taken cognisance of cases brought before them.

Although some of these schools are of considerable antiquity, by far the greater part were founded during the century and a half following the Reformation. Some are of royal, but the great majority are of private endowment. Some, again, are open to scholars from all parts of England, or to any one nominated by the governors, &c., of the school; but the greater part are local, and their benefits confined to the natives of the place in which they are situated. The endowments are, of course, extremely various in amount; but the intention of the founder, even in the humblest of these institutions, appears, generally speaking, to have been, that the education afforded to the boys on the foundation should be gratuitous, and the schoolmaster paid by a salary arising out of the endowment.

Those among the free and endowed schools which were constituted without any express stipulation on the part of the founder, that instruction in the dead languages should form a part of their discipline, have remained, for the most part, as charity or gratuitous schools of elementary education. They have in general fallen, by degrees, into what is termed the National System. But the fate of those numerous schools in which the boys were, by the original statutes, to be instructed in Latin, that is, of the grammar schools, has been very different. It is probable that the general disposition among charitable individuals, during the age which followed the Reformation, to devote their liberality to the endowment of schools, was owing to the deficiency of education occasioned by the suppression of the monasteries and chantries, which had been of considerable service in the instruction of the lower classes. But, before the Reformation, the number of clergy, both regular and secular, was very large. Latin was a language in ordinary use for the purposes of the church; and those who recruited its ranks were taken, not from the superior classes only, but from the mass of the population. Hence the extraordinary number of students who thronged the universities in the fourteenth and fifteenth centuries: and hence, also, elementary instruction in Latin was not thought misapplied when bestowed on the humblest youth of the kingdom. At the Reformation the use of Latin in the churches was indeed abolished; but that event happened in a scholastic age, when ancient learning was still regarded as the fundamental groundwork of all know-

ledge. Hence the benevolent founders of our endowed schools did not scruple to require that instruction in the dead languages, or at least in Latin, should be communicated in their institutions, even when open to and intended for the poorest of their townsmen and fellow-parishioners. The equalising spirit of the Roman Catholic church, under which the lowest as well as the highest were reckoned alike fit for ecclesiastical employments, had not yet been effaced from the national mind.

In process of time, however, the taste for scholastic instruction in the dead languages gradually diminished; and the fortunes of the endowed grammar schools underwent considerable vicissitudes. Those which were situated in populous and wealthy towns continued in general to maintain their importance: many, also, were preserved in consequence of their connection with the universities, and the benefits which they held out to youths proceeding thither (out of nearly 500 free and endowed schools, described by Mr. Carlisle, in his work on these institutions, about 150 have advantages annexed to them in the way of fellowships, scholarships, or exhibitions). But a great number of those situated in poorer places, being hampered by the peculiarity of their original statutes, which makes them proffer a species of instruction for which there are no longer any candidates, have sunk into decay. The endowments, however, still remain; and the presentation to the masterships being frequently vested by the founders' statutes in corporations, colleges, or close bodies of governors, they have, in many instances, degenerated into sinecure offices.

Of those grammar schools which have survived as extensive and frequented seminaries, several have acquired, in ordinary language, the character of public schools. This, however, is a term of very arbitrary application. Sometimes all the larger grammar schools, established in considerable towns, connected with the universities by endowments, and affording preparatory instruction for them, are classed together, in ordinary language, as public schools. More commonly, however, this title is restricted to a few schools which have acquired it by prescriptive usage. These are, principally, those large establishments frequented by the youth of the higher classes; together with a few of a less aristocratical character, but which have a peculiar claim to consideration from the great number of boys instructed in them, and the munificent scale of their foundation. They may be ranked in three classes. 1. The three great collegiate schools, two of which are of royal foundation, and one of private endowment, which custom has placed on an equal footing with them: Eton, Westminster, Winchester. 2. The great metropolitan schools: Charterhouse, St. Paul's, Merchant Taylors', Christ's Hospital, &c. 3. A select number of grammar schools, varying according to circumstances, in which the foundation is unimportant, but which have acquired, either by a species of prescription or from the talents and popularity of individual masters, a character as preparatory schools for the universities, and are much resorted to by the wealthier classes.

Eton College, although not the oldest foundation of its class, deserves on many accounts the first mention in an account of English scholastic

institutions. Not only has it been for a lengthened period the most frequented and celebrated of our public schools, but the mode of instruction pursued at Eton, the grammars and other books used there, and its internal regulations, have been followed and borrowed by a large proportion both of the public and private classical schools of the country. It is in fact the model-school for most institutions of a similar kind; and, until the present time, it has undergone less variation in the quality and character of the instruction which it professes to give than almost any other. By entering somewhat minutely into the details of its constitution, we are enabled to form a pretty correct idea of the English system of classical education, as pursued, with only a very gradual change, ever since the Reformation.

Eton College was founded by Henry VI., in 1440, under the name of the College of the Blessed Virgin Mary beside Windsor. The parish church of Eton, then a small village adjoining Windsor, was pulled down, and a new church erected, to be both parochial and collegiate. The chapel was founded in 1441, in which year also the second charter of foundation was granted; the third and final in 1442: the statutes were completed in 1446. The body thus constituted consisted of a provost; ten fellows (although that number was not in fact completed); a master of the school; ten chaplains; an usher; ten clerks; seventy scholars; sixteen choristers, and ten almsmen or beadsmen. The numbers of some of these were however reduced in process of time: there are now seven fellows, two chaplains, two lay-clerks, ten choristers, and two masters, on the foundation: the assistant masters of the school not being necessarily connected with it.

This royal foundation, in its early progress, met with much opposition, and suffered some spoliation from succeeding kings, especially Edward IV. But from the reign of Henry VIII. downwards its history has been one of continued prosperity. The present collegiate edifice was erected at various periods: it contains, in two quadrangles, the chapel, the two schools, upper and lower, the masters' chambers, the provost's lodge, the private residences of the fellows, and the library.

The provost of Eton is elected by the fellows. For many years, however, it has been the custom to elect the nominee of the Crown, provided the appointment is statutable, and there be no personal objection to the individual. The right of the fellows to elect their own provost has not been disputed. The fellows fill up any vacancy among themselves by election. They may marry; and their residence, with an income averaging 650*l.* a year, is found by the college: they are, however, entirely unconnected with its duties as a place of education. The master and lower master are elected by the provost and fellows. The assistant masters, of whom there are 13 in the upper school, are appointed by the head master, subject to the veto of the provost. The three assistants in the lower school are appointed by the lower master, subject to the veto of the provost and head master. They have been for many years elected from the fellows of King's College, Cambridge.

But this restriction was not usual in former times; and it has been occasionally dispensed with in later years: it is not imposed either by the letter or the spirit of the statutes.

The seventy scholars, or, as they are termed, in consequence of the

wish of George III., "king's scholars," are eligible from eight years of age to fifteen. The statutable qualification is, that they should be "poor and indigent," words which of course receive a very liberal interpretation, though, in point of fact, the boys admitted on the foundation have, for the most part, less wealthy parents than the independent members of the school. The appointment is eagerly sought, on account of the pecuniary advantages attending it. Preference is, by the statutes, given to boys of those parishes in England and Wales where Eton has estates, and next, to those born in the counties of Buckingham and Cambridge. The foundation was made entirely with a view to the instruction of youth for holy orders; and we find it consequently provided, that no one so maimed in his limbs as to be under the canonical impediment as to entering orders, can be admitted on the foundation. Scholars of the foundation are lodged within the college. The first 49 have separate rooms, which serve both for sleeping and for study. The 21 juniors sleep in a public dormitory, but have studies for preparing their lessons and exercises. Three rooms assigned to boys in the sixth form are situated near the studies and dormitory to preserve order. The scholars are provided with beds, breakfasts, dinners, and suppers, by the college. Their education is gratuitous. The expense incurred for a boy on the foundation cannot exceed 30*l.* a year, unless his parents choose to supply him with unnecessary funds. The election is by merit only. At the election of 1846, there were 53 candidates for 6 vacancies; 20 names were placed on the indentures. The total expenses of a boy educated at Eton as an *oppidan* may perhaps average from 100*l.* to 150*l.* per annum in the upper part of the school.

The election of scholars takes place every year on the last Monday of July or the first of August. The electors are the provosts of Eton and King's College, the vice-provost of Eton, the master of Eton, and two masters of arts (called posers) of King's College. These functionaries divide the appointments among themselves. The usual number admitted on what is termed the indenture, at each election, is twenty-four: they are then admitted on vacancies occurring; at the same time, twelve or more of the head boys among the scholars are placed on the roll for King's College, to fill up such vacancies as may occur in it. Failing King's, collegians are superannuated at nineteen (or eighteen, if they attain that age without being placed on the roll for King's College). Of this last foundation some account will be given under the head of the university of Cambridge.

The king's scholars at Eton are subjected, with regard to their discipline and management, to the peculiar and strict regulations of the foundation; but in respect of the education which they obtain, they are in all respects exactly upon the same footing with the oppidans or independent scholars, who are not upon the foundation. The two classes of boys are confronted together in the ranks (or forms as they are termed) of the school, and enter into competition together at the examinations. There used to be a certain feeling of pride on the part of the oppidans, which prevented much association between them and the collegers, except in the upper part of the school. But the late munificent subscriptions of old Etonians, assisted by Her Majesty, Prince Albert,

and the Queen Dowager, has made so great an alteration in the comforts and general position of the collegers, that this exclusive feeling is gradually subsiding; and the election by merit is likely, in a few years, to have the effect of making the collegers hold the same rank in the school as the scholars of Trinity and the students of Christchurch hold in their respective colleges. It is not very easy to ascertain at what time the practice of admitting independent scholars to partake of the education furnished by the college first began: it was perhaps coeval with the establishment itself, and parts of the statutes have been supposed to refer to it. The number of boys at Eton, including both collegers and oppidans, was, in the election list of 1846, 777. This, however, exceeds the average number, as the list of election is the fullest of the year.

The oppidans board either in the houses of the lower master or assistants: or, at a somewhat lower charge, in the boarding houses attached to the school; some few, chiefly of noble birth, in private lodgings, under the care of private tutors. In any case, however, each is placed by his relatives under the care of the lower or some one of the assistant masters as his tutor. The head master receives annually, from each six guineas a year; the tutor ten: the board, with its attendant expenses, in a boarding-house, is usually estimated at fifty. It has been also for a long time the custom at Eton for each oppidan, on leaving school, to present the head master with a fee, which varies according to the circumstances or inclination of the individual, but is seldom less than 10*l.*

The classification of boys, according to proficiency, in forms and removes, at Eton, (which, with some variations, has been pretty generally adopted elsewhere,) comprehends both oppidans and collegers without distinction.

The removes or changes of place occur in June and immediately before the Christmas holidays, so that promotion takes place twice in each year. There are four removes in the third form, three in the fourth, two in an intermediate form between the fifth and fourth forms, which is called the Remove, two in the lower division of the fifth form, and two in the middle division. When a boy has reached the upper division of the fifth form, there are for him no more half-yearly changes. He passes into the sixth form, when there is a vacancy, according to his place in the division. The lower school contains the first, second, and third forms.

The examination takes place in passing from the first to the second form, from the second to the third, and from the two lower removes to the two upper removes of the third form. Occasionally a boy of greater proficiency is allowed to take a higher remove *per saltum*.

In the upper school the examinations take place on passing from the fourth form to the remove, and from the lower remove of the lower division of the fifth form to the upper. The other half-yearly changes take place without examinations; but no boy is permitted to proceed without a favourable character from the master of his division or class.

The head master's division varies from 30 to 36. The other classes are of larger size, decreasing, however, in number as they reach nearer to the sixth form.

This form contains from 20 to 22. Several of the fifth form are added to make up the head master's division.

All boys below the fifth form are, by the constitution of Eton, fags; which implies that each is assigned to some upper boy as under his particular authority, and also that the whole of the lower boys collectively are liable to fag for the fifth and sixth forms: so that one of the latter meeting one of the former, has a right to command his services, unless he be on an errand for his own individual master or some other. But it is almost unnecessary to add, that the supposed severity and degradation of fagging are in general greatly exaggerated.

The first seven of the collegers and the whole of the oppidans in the sixth form are called præpositors, and act in some measure as assistants to the masters, having a certain jurisdiction in enforcing the discipline of the school among the lower boys, and on certain occasions even among those of the fifth form.

The head of the whole school is generally a colleger, and is styled captain. As the collegers are subject not only to the examinations which take place in passing from the remove to the fifth form, but also to a yearly examination, either by the provost and head master or by the six electors, the captain of the collegers holds his place by merit, and not by seniority.

The sessions of all parts of the school take place at the same time, but in different rooms.

The arrangements of Eton with respect to school-hours are nearly as follows:—Three days in the week are whole school-days; two half, and one whole holiday, besides such as are occasional; but a saint's day, when it occurs, is only substituted for the ordinary whole holiday. On a whole school-day, there are four school-times; on a half holiday, two. These school-times vary from an hour and a half to three-quarters of an hour in length, the longest being the earliest. This first school-time is in general, and in most forms, devoted to the repetition of tasks learnt by heart; the others, to the reading of passages in Greek and Latin authors. These readings are thus managed:—the whole remove, or the whole form, having a particular portion of an author to prepare beforehand, are expected to be ready for it in school: when the master "calls up" a certain number, taken at hazard, with each of whom he construes a part of it, until school-time be over. But the task of preparation for these readings, which of course occupies the greater part of the time devoted to education, is performed, not in school, but in private; that is, in general, by the upper boys in their private rooms, or "studies," with the occasional assistance of their public tutors; by the lower boys, in the "pupil-rooms" of their tutors, and under their eye.

The amount of classical works actually read through in the course of school business is very small. Even in the upper school, Homer's Iliad, Virgil's Æneid, and Horace, are the only books which it is customary to read through by fixed portions: and these are so small (thirty or forty lines in general) that it takes a very long time to get regularly through them. In reading them, the boy is required to attain a correct grammatical knowledge of construction, and of historical and mythological subjects, by their perusal. The well-known Eton Latin and Greek Grammars form the bases of the grammatical instruction of

the school: these are learnt by heart; and boys also are expected to be able to repeat and apply their rules, when called upon, to that portion of the author which they are reading. Other classical works are read only in volumes of extracts taken from a few of the Greek and Latin poets and prose writers; mostly compiled for the use of Eton school. A play of some Greek tragic author is also usually in the course of reading by the upper school. It must not, however, be supposed that the routine of lessons gone through in school comprises the whole or even a large part of the reading of the more studious boys. Much more is read at other hours with their tutors, and much in private under their advice and direction.

But in every part of the school, and more especially as the boy advances towards the highest, his powers are especially directed towards classical composition. A certain number of exercises, as they are termed, are expected every week from each boy, unless in the event of one of those occasional festivals, which are termed whole holidays without exercise, on which one is excused. These exercises, in the upper school, consist of Latin themes, that is, prose compositions, generally on moral subjects; translations into English from classical writers; Latin verses, lyrical, heroic, and elegiac; and, occasionally, Greek verses and themes. A certain length of exercise is required; but boys are allowed and stimulated to exceed that amount; and when the exercises (after being revised by the public tutor) are sent in to the master, he selects a few of the best, which are publicly read in school, and for which certain rewards are given. As the actual work done in school is about the same for all the upper school, that is, for boys varying in age from fourteen to nineteen, it may be supposed that by far the greatest share of labour, by the most advanced and industrious boys, is bestowed on composition; and hence arises the merited celebrity of Eton in this branch of classical attainment.

Little attention was paid at Eton, until lately, to religious instruction: it is now, however, considerably increased. The Duke of Newcastle, a few years ago, founded a scholarship, and a medal for classics and divinity. There are usually between 30 and 40 candidates, of whom the best becomes scholar, the next in merit is medallist, and considerable proficiency is shown in these examinations.

With respect to the habits of life, and domestic government of boys at Eton, some difference subsists between collegers and oppidans. The former attend prayers every evening and also on Sunday morning in the lower school, and then retire to their several rooms or dormitory. The collegers also have their dinners in the college hall. The sixth form have a supper-room in the new buildings, as have also the first six of the fifth form. The remaining 54 keep in the hall.

The oppidans in the tutors' houses, and in some of the dames' houses, have daily evening prayers. Prayers take place on Sunday in every house, morning and evening. In the tutors', all boys have single rooms except brothers, who are generally placed together in larger rooms. In the dames' houses only a small portion have single rooms. The rest are placed two in a room, and sometimes, but rarely, three.

The number in dames' houses is not restricted; in tutors' houses it never exceeds 30.

All boys attend chapel twice on Sundays, and at 11 and 3 on all other days when there is no school at those hours.

Such is a brief review of the scholastic system of Eton; from which it will be observed, that the course of instruction is essentially classical. But of late years the study of mathematics has extended very far in every part of the school. The same may be said of French. German and Italian are learned only by a few. There are many pupils in drawing and water colours. All these studies, however, are left to the choice of the parents; but when they have signified their wishes, attention is enforced as much to them as to the ordinary school lessons.

A prize for the encouragement of modern languages has, within a few years, been established by His Royal Highness Prince Albert to the amount of 50*l.*; and another for mathematics by G. Tomline, Esq., M.P. The examinations for these prizes have been satisfactory. There are several other school prizes: viz., for an English historical essay in the head master's division; for tasks or exercises in Greek or Latin verses composed during the Easter and Christmas vacations; for declamations to collegers in the sixth form previous to Easter and Christmas; and others for themes and verses in the higher divisions of the school.*

With regard to the remaining public schools of England, those which are possessed of ancient and considerable endowments have been, in general, governed by regulations of their own, and not framed on the Eton model. All, however, more or less resemble it. And those which have been raised to the rank of public schools, from mere common charter or free schools, in modern times, have in general formed their discipline and government after the fashion of that of Eton, and employed the same school books; unless where some innovations have been made in later times. To the former class belong Winchester, Westminster, and the great metropolitan schools: to the latter, Harrow, Rugby, Shrewsbury, &c.

Winchester College is the most ancient of the English public schools; it has also preserved, partly in consequence of that circumstance, many peculiarities of feature and constitution, in which it differs from Eton and the great majority of schools formed on its model. It was founded by the famous William of Wykeham, Bishop of Winchester (born 1324, died 1404), in 1382, nearly at the same time as his other splendid establishment, New College, Oxford (described under the head of that university), to which it was intended to serve as a nursery. The foundation consists of a warden, a schoolmaster, and usher, ten fellows, seventy scholars to be instructed in grammatical learning, three chaplains, three clerks, and sixteen choristers. The fellows at Winchester, as at Eton, have residences provided for them; but are unconnected with the business of the school.

The seventy scholars are admissible from eight to seventeen years of age. There are usually about 200 or 250 boys in all, including those not on the foundation. Vacancies are filled up at the election in July, both for Winchester, and New College, Oxford, much in the same manner

* This account of Eton has been revised by the highest authority, and gives a perfectly accurate account of the present state of the school.

as that already described with respect to Eton and King's. Two rolls are made: that for the New College consists of two founders' kin, elected on examination; they are not superannuated until twenty-four years of age. The remainder of the roll is filled up from the best qualified of the upper boys of the school, elected on examination, with a preference for some (called superannuates) between eighteen and nineteen, who leave the school immediately after election. These are sent to New College as vacancies occur. The roll for Winchester is made up, first, of two founders' kin; and, next, of boys nominated in turn by six electors: the wardens of New College and Winchester, the two posers from New College, the subwarden of Winchester, and the headmaster.

Boys on the foundation are provided with board and lodging within the walls of the college. The remainder are lodged under the immediate care of the head master, in a pile of buildings contiguous to his house, and forming part of the college.

The scholars are liable only to annual payments amounting to about 20*l.* a year, besides their travelling expenses, &c.

Westminster College, the second great scholastic establishment of royal foundation, was established by Queen Elizabeth in 1560; but it only replaced a school of great antiquity and celebrity, which had been attached to the ancient abbey.

Westminster College is not, like the other great schools, endowed with lands and estates of its own. But the revenues of the collegiate church of Westminster are charged with the support of two masters and forty scholars (called king's scholars). The scholars are lodged and boarded in the dormitory and hall of the school: they wear a gown, cap, and college waistcoat. The number of independent scholars (town boys) varies according to circumstances: some are boarders; others day boarders, lodging at home. The expense of the education of both classes of boys has recently been much reduced; and that of the king's scholars will not in future exceed, all charges included, 45*l.* a year. The scholars, being elected from the school at large, for merit, form a superior class. At the end of the fourth year, eight or ten of the senior boys on the foundation are elected off, according to the vacancies occurring, to Christ-church, Oxford, and Trinity College, Cambridge (see Oxford and Cambridge). The election for scholars is after an examination of a very peculiar character, in which the boys hold disputations with each other, *vivâ voce*, in Latin and Greek (termed challenges), and take places according to their success. There are 10 or more elected out of twenty, thirty, or forty candidates, of the lower forms of the school, boys not being admitted into college after the age of 14. The number of boys in the school varies according to circumstances: of late years it has been comparatively small. The Westminster holidays, differing from those of most public schools, are at Christmas, Whitsuntide, and in the month of August.

The principal metropolitan endowed schools, not collegiate, are—

1. *The Charterhouse.*—This foundation stands on the site of a Carthusian convent founded by Sir Walter de Manny in 1361: and its name is derived from a corruption of the French appellation, Chartreux.

After the suppression of the monasteries this estate passed through several hands, and was finally sold by the Earl of Suffolk to Thomas Sutton, Esq., citizen and girdler, in 1611; who founded on it the hospital and school of the Charterhouse, with large endowments, the gross rental of which, in 1815, was not less than 22,000*l.* per annum. Among the governors are generally some of the highest personages in the country; and vacancies in their number are filled up by a majority of their voices. There are on the foundation boys of two classes—pensioners and scholars; both nominated in rotation by the governors. The number of pensioners is limited to eighty, that of scholars to forty-four; the former are fed and lodged at the expense of the hospital, and have a pension of 25*l.* per annum and one cloth gown: the scholars are educated wholly at the expense of the hospital. By its statutes, none can be admitted under the age of ten, nor above fourteen. The course of classical study in the Charterhouse is similar to that pursued at other public schools; but it has a Latin and Greek grammar of its own. The exhibitions to the universities do not appear to be specifically limited in point of number: boys are elected to them by the board of governors, on examination: they have their option, both as to college and university; and are allowed 80*l.* a year for the first three years, and 100*l.* for proceeding to the degree of B. A. Gratuities of 100*l.* are given to those scholars who do not proceed to either of the universities. There are also some additional exhibitions to particular colleges at Oxford, given by the will of a benefactor. Some of the boys, not on the foundation, are boarded by the masters, and the others attend the school daily and reside with their parents. Their number fluctuates according to the causes which control those of other public schools, but of late years it has been comparatively limited.

2. *St. Paul's School* was founded, in 1509, by the celebrated and excellent John Colet, D.D., dean of St. Paul's (born 1466, died 1519); who conveyed for that purpose his estates in the city of London to the Mercers' Company, whom he constituted governors of the school. He drew up, with his own hand, rules for its government; which are curious, from the mixture of an enlightened generous liberality, which did not often accompany the charitable spirit of the age, with a quaintness peculiar to it. Thus, while instead of adopting the local restrictions usual among his contemporaries, he directs that in his school shall be taught "Children of all nations and countries indifferently," he limits their number to 153, in allusion to that of the fishes caught by St. Peter. He appointed the learned Mr. William Lilly, one of the earliest teachers of Greek in this country, first master of the school; and it deserves to be mentioned that Erasmus, who was an intimate friend and correspondent of Colet, contributed, at his request, the greater portion of the Latin Syntax, and sundry emendations, to the famous grammar published under the name of Lilly, and especially intended for the use of the new seminary. Erasmus, also, contributed some minor works, at Colet's suggestion, in express furtherance of the same benevolent object.* This is a free, and was, till lately,

* Colet was himself a contributor to the grammar: see Knight's Life of Colet, pp. 112–17, ed. 1823, a valuable and an instructive work, and the art. Lilly, in the Penny Cyclopædia.

strictly a classical school; but the study of mathematics has been recently introduced. Scholars are admitted up to the age of 15, and are superannuated at 19. The school possesses, from a benefaction of Lord Camden (A.D. 1633-34), who was educated in it, two exhibitions to Trinity College, Cambridge, respectively of the value of 100*l.* and 80*l.* a-year. Two other exhibitions are given annually, out of the general revenue of the school, of the yearly value of 120*l.* and 50*l.* There are, besides, various smaller exhibitions to Cambridge. The scholars are admitted, and the exhibitioners nominated, by the Court of Assistants of the Mercers' Company after the annual examination, which takes place in the fourth week after Easter. The school has a high master, surmaster, under master, assistant master, and a mathematical master, and, deservedly, enjoys a high character.

3. *Merchant Tailors' School* was founded in 1561 by Sir Thomas White, and endowed by him and other members of the Company. It has a principal and four under masters. The number of boys is usually limited to about 250, who are presented in rotation by members of the Company's court. This school has forty-three fellowships at Oxford (of which thirty-seven are at St. John's), and seven at Cambridge; besides numerous scholarships and exhibitions. Mathematics, French, and writing have been recently introduced as part of the education in this school; instruction in writing is given by two extra masters.

4. *Christ's Hospital*, more commonly known as the Blue-coat School, is one of the noblest institutions in London. It was incorporated by Edward VI. in 1553, and owes its origin to the active benevolence of some distinguished citizens. It was intended to maintain, clothe, and educate the young and helpless; and 340 boys and girls were admitted soon after its foundation. A second charter from Charles II. in 1673, provided for the education of 40 boys in mathematics and other learning calculated to qualify them for the sea-service. The management of the institution is vested in a body of governors, consisting of the Lord Mayor and Court of Aldermen, and twelve Common Councilmen, elected by the other members of the Council, with a large number of eminent individuals (at present, 1846, nearly 500, including Her Majesty the Queen), who have each contributed at least 400*l.* to the funds of the institution; but recently the qualification for a governor has been raised to 500*l.* Children are admitted on the presentation of the governors, and the privilege of presentation is thus regulated: each member of the Court of Aldermen has one presentation annually at Easter, the Lord Mayor for the year having one extra; the president, who is usually an alderman, has two extra, and the treasurer two also, besides his presentation as a governor. Every new governor made in the preceding year has one, and the remaining vacancies are then filled by the other governors in rotation, each of them coming in turn usually every third year. The present (1846) revenue of the hospital, arising from rents, benefactions (which vary from 6,000*l.* to 10,000*l.*), and all other sources, amounts to about 44,000*l.* a year, and its expenditure to nearly as much. Its establishment in London, on the site of the Old Grey Friars' monastery, accommodates, at present, 918 boys; and it has attached to it a subsidiary establishment at Hertford, for the younger children, where there are now

437 boys and 76 girls, making in all 1,431 children, maintained, clothed, and educated by the establishment. There are schools for grammar, mathematics, writing, drawing, and French. The Grecians, or those most advanced in the grammar-school, are sent with valuable exhibitions to Oxford and Cambridge, and those in the mathematical school are placed with commanders of ships, and equipped with clothing and nautical instruments, at the hospital's expense. Others are apprenticed to different trades. A magnificent building, called the Great Hall, erected by public subscription, and finished in 1829, opens towards Newgate-street, and is one of the finest ornaments of the city. The hall, in which the children breakfast, dine, and sup, is 187 feet in length, 51 in width, and 46½ feet high. The well known dress of the boys, which has not been changed since the formation of the institution, is not merely grotesque and antiquated, but inconvenient and uncomfortable; and it is certainly high time that it were modified. Presentations cannot be obtained except through governors.

5. *The City of London School*, established in 1835, may be said to have resulted from the inquiries of the Charity Commissioners. A Mr. Carpenter, town-clerk of London, in the reign of Henry VI., had left an estate charged with the maintenance and education of *four* boys, the value of which had greatly increased without any more extended application of the funds. Repeated inquiries and remonstrances at length induced the corporation to establish a school on the site of Honey-lane market, Cheapside. The system of instruction includes classics, mathematics, modern languages, and all the usual branches of a general education; and the school is attended by upwards of 500 boys. Fourteen valuable scholarships and exhibitions to Oxford, Cambridge, and the University of London are attached to the school. The buildings, occupying a space 180 feet in length, and 80 feet in breadth, are commodiously contrived, and have externally some pretensions to architectural elegance.

Of the remaining schools of the kingdom usually considered as public, *Harrow* may, perhaps, claim the first rank: although poor in point of endowment, being, in fact, only a common grammar-school, which, by a concurrence of circumstances, has become an established place of education for the wealthier classes. The free grammar-school of Harrow was founded in 1571, by John Lyon, a yeoman of the parish; who conveyed property to six trustees (styled governors) for the endowment of a schoolmaster and an usher; for the gratuitous instruction of the children of the parish; and for the endowment of four poor scholarships or exhibitions for the two universities. He gave, however, permission that the schoolmaster might receive *foreigners* in addition to the youth of the parish, and take such stipends of them as he could get. By degrees the little parish school rose into a fashionable place of education; and the only parishioners who took advantage of it were such as, from station in society, could place their children on a footing with the "foreigners." The inhabitants of the parish endeavoured, in 1809, to reform the constitution of the school for their own benefit, by an appeal to the Court of Chancery; but judgment was pronounced in favour of the present system.

The governors of Harrow are, according to the statutes, to be six of

the noblemen and gentlemen who reside in the parish; but a liberal interpretation has been put on the condition of residence. They appoint the head-master and under-master: the number of assistants being fixed by the head-master himself. The school has, since its foundation, been endowed with four scholarships by private benefactors; but has no other university advantages. The boys of the foundation board at home, and are exempted from the payment of school fees: their number is always small. The remainder board either with the master, or at private boarding-houses; each being under the tutorship of a master, according to the selection of his relatives. The number in a school possessing no foundation of consequence, varies, of course, with the popularity of the master; and has, of late years, fluctuated very greatly. The system of education at Harrow, both in points of form and discipline, and in more substantial matters, has always been closely modelled on that of Eton; which Harrow has at different times since its foundation rivalled in public opinion among the higher classes. The only material difference in respect of discipline is, that fagging is confined to boys below the fourth form; of whom there are usually only a very small number. He who from circumstances is so situated as to have a fag of his own, is therefore a highly privileged individual.

In respect of the instruction communicated at Harrow, some important innovations on the old scholastic system were made under the superintendance of a late head-master, Dr. Longley; both in classical learning, by the introduction of books of extracts from good authors, exclusively for the use of the school, and in other respects, by some additional attention to mathematical study, to geography and modern history: and an increased instruction in divinity. The age of boys at Harrow is nearly the same with that of the oppidans at Eton: the majority do not come to the school until after twelve, and do not remain much later than seventeen.

Rugby School, in Warwickshire, was founded by Lawrence Sheriffe, citizen and grocer of London, in 1567. Its high character as a public place of education commenced after its regulation by a private Act of Parliament in 1777. Like Harrow, it combines gratuitous instruction for the boys of Rugby and its neighbourhood (who are considered as on the foundation), with the education of a considerable number of boys, varying from 300 to 450, from all parts of the country, at their own expense. The head-master keeps a boarding-house: there are also private boarding-houses. By the statutes no boy can be admitted after fifteen, nor remain after nineteen; but the age at which they enter, and the duration of their stay at school, are much the same as at Eton and Harrow. The vacations are only two—at Christmas and Midsummer. Rugby has fourteen valuable exhibitions at either university, but no other patronage.

Considerable alterations were introduced by the late head-master, the celebrated Dr. Arnold, into the discipline of Rugby school, and into the course of education pursued there; some account of which may be found in one of the early volumes of the *Quarterly Journal of Education*. The acquisition of modern languages, and the study of modern history, have been rendered essential parts of the instruction of

the school; which has in other respects been rendered more comprehensive in its character.

The free-schools at Reading, Repton, Manchester, and Shrewsbury, are also enumerated among public schools, in the later accounts of those establishments. In ordinary language, however, they are not so designated, except perhaps the last. There is, in fact, no distinction, except that of usage, which has elevated Rugby and Harrow, although unendowed to any great amount, to the character of public schools; and by which, from time to time, others also are so designated, according as the talents and popularity of the head-master, or other adventitious circumstances, make them places of resort for the scholastic education of children of the higher orders. This has been especially the case with Shrewsbury, which for many years, while under the superintendence of Dr. Butler, afterwards Bishop of Lichfield, was generally ranked among the great public schools of the country. This school is also rich in scholarships and exhibitions. The number of boys is from 250 to 350. Of late years it has been celebrated for the proficiency in classical scholarship, particularly in Greek and Latin composition, and in grammatical learning, which has been attained by its pupils; who have carried away a very unusual proportion of the prizes and other classical honours awarded at the two universities.

Income of Endowed Schools.—The total number of endowed schools in England and Wales is very great, and the revenue at their disposal much larger than is generally imagined. We believe, indeed, that if the property set apart by the benevolence of private individuals, for the purpose of providing for education in England and Wales, were judiciously and economically administered, it would go far to furnish funds, not only for the support of the existing schools, but to defray a large portion of the cost of a proper system of national instruction. According to the Digest of the Reports of the Commissioners, printed in 1841, the sums appropriated for the purpose of education in endowed and unendowed schools were as follows:—(See p. 330.)

It appears from this table, that, under the present defective and slovenly management, the income of endowed schools, exclusive of the sum appropriated to that purpose by the chartered companies of the metropolis, amounts for grammar schools to 152,048*l.*, for schools not classical to 141,385*l.*, and for educational purposes to 19,112*l.*, making a grand total of 312,545*l.*, which, under efficient management, and including the contributions of the metropolitan companies, would no doubt amount to 500,000*l.* a year.

But exclusive of this, it is seen from the Digest referred to above, that a large mass of property, amounting to no less than 1,209,296*l.* a year, is appropriated to other charitable purposes, the utility of many of which, though undisputed when the grants were made, has now become exceedingly doubtful. We admit the difficulties that stand in the way of legislative interference in such cases, but they are not insuperable; and it appears to be at variance with every principle on which society is founded, to continue to lay out property on institutions, or for objects that have been ascertained to be either injurious or of little utility, when it might be employed to promote objects of undoubted

Account of the Annual Income of Grammar and other endowed Schools, &c., in the different Counties of England, and in Wales, according to the Returns of the Charity Commissioners.

Counties or Cities.	Income of Grammar Schools.	Income of Schools not Classical.	Income of Charities given for or applied to Education.	Totals.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bedford	616 0 0	1,106 8 6	263 4 4	1,985 12 10
Berks	431 8 10	4,183 7 11	612 17 2	5,232 8 11
Buckingham	654 15 11	803 2 0	272 16 2	1,730 14 1
Cambridge	367 0 0	2,010 18 4	232 18 3	2,610 11 7
Chester	2,207 15 0	1,232 11 6	240 16 0	3,681 2 6
Cornwall	54 13 8	676 8 0	198 8 7	929 10 3
Cumberland	1,227 14 11	671 4 3	148 19 0	2,047 18 2
Derby	2,805 0 7	1,929 5 2	214 4 9	4,948 10 6
Devon	1,528 13 9	5,019 13 9	833 15 1	7,381 2 7
Dorset	1,459 14 2	1,218 8 0	117 0 0	2,794 2 2
Durham	685 1 7	533 8 8	219 17 10	1,737 8 1
Essex	3,937 4 8	2,872 2 5	682 9 10	7,491 16 11
Gloucester	2,357 16 6	3,759 17 9	784 1 8	6,901 15 11
Hereford	1,843 8 6	1,370 16 11	86 10 9	3,305 16 2
Hertford	1,128 18 1	1,377 7 11	309 13 7	2,815 19 7
Huntingdon	626 1 6	705 10 4	145 12 0	1,177 3 10
Kent	1,337 2 2	5,868 9 9	1,221 6 6	8,426 18 5
Lancaster	11,428 19 1	7,687 2 11	343 11 11	19,459 13 11
Leicester	3,469 17 6	1,377 17 9	383 19 7	5,431 14 10
Lincoln	6,325 18 9	5,080 8 6	558 11 8	11,964 13 11
London—Parochial Charities	49,241 19 0	7,104 14 9	1,134 12 5	57,481 6 2
Westminster	162 10 0	5,789 10 2		5,952 0 2
Middlesex	3,599 7 3	13,832 19 6	816 12 7	18,248 3 4
Monmouth	660 2 6	1,319 0 10	39 10 0	2,018 13 4
Norfolk	2,057 14 7	3,663 5 4	601 8 4	6,322 8 3
Northampton	1,263 7 5	2,867 3 6	613 11 11	4,744 2 10
Northumberland	1,056 5 2	1,457 1 3	51 8 6	2,564 14 11
Nottingham	1,495 7 10	1,848 5 9	417 9 6	3,761 2 1
Oxford	806 17 11	1,256 18 10	223 2 2	2,286 13 11
Rutland	1,290 0 0	218 12 1	29 17 6	1,538 9 7
Salop	4,251 15 7	2,529 8 4	224 7 8	7,005 11 2
Bristol	62 9 2	6,812 16 11	17 13 0	6,892 19 1
Somerset	1,761 7 7	2,567 5 3	449 2 3	4,777 15 1
Southampton	916 2 0	2,263 17 11	511 8 3	3,696 8 2
Stafford	4,469 18 4	2,060 4 0	461 15 9	6,991 18 1
Suffolk	1,388 11 11	2,032 9 0	1,009 4 9	4,430 5 8
Surrey	2,319 9 5	3,776 1 8	524 2 8	6,618 12 9
Sussex	775 1 2	3,023 19 3	356 19 6	4,155 19 11
Warwick	6,301 5 9	6,119 18 2	636 15 4	13,117 14 3
Westmoreland	1,615 19 7	600 0 10	34 2 6	2,250 2 11
Wilts	412 16 6	1,497 12 5	324 12 2	2,235 1 1
Worcester	2,227 4 1	6,186 7 0	243 9 8	8,657 0 4
York, City of, and East Riding	1,847 17 4	1,973 18 8	748 12 2	4,570 8 2
—— North Riding	2,303 9 6	911 1 8	523 12 5	3,738 3 7
—— West Riding	10,748 12 5	6,616 11 3	865 14 6	17,029 18 2
Wales	2,992 7 11	3,029 10 10	317 9 4	6,339 8 1
General Charities	1,900 0 0	844 12 0		2,744 12 0
Total	152,047 14 1	141,385 2 6	19,112 8 8	312,545 5 3

national importance. The subject of endowments ought to be carefully sifted. The regulations of the founders should be respected only so long as they conduce to, or, at all events, are not opposed to, the public interest. Whenever they come into conflict with the latter, they certainly should be modified, and made to harmonise with what it may reasonably be presumed would have been, could he have foreseen the results, the will of the founder. By cautiously acting on this principle, we have little doubt that a free revenue might be obtained, without injury to any useful purpose, for educational objects, in England and Wales, of 750,000*l.* a year.

Universities.—The universities of England, like those of most continental countries, were originally framed on the model of that of Paris, the most ancient and most celebrated of them all. At how early a period schools and places of education of general resort may have existed in Oxford and Cambridge, is a question which cannot be distinctly answered, and which, luckily, is of little importance. But, whatever their origin, the educational establishments in these

cities assumed, in the course of the thirteenth century, the form of universities on the Parisian model.

The universities of the middle ages recognised, uniformly, four branches of education:—namely, that of arts, which was in some degree preparatory to the rest; and the three faculties more strictly so called of theology, law, and medicine. The great function of the institutions was the giving instruction and conferring degrees or certificates of proficiency in these several faculties. These degrees were attained by attendance for a certain number of years on the studies of the place. The degrees were called by various titles, and were subject to various regulations in different universities; but, in general, there were two in each faculty,—one inferior and one superior; as the degrees of bachelor and master in the faculty of arts, &c. The bachelor or inferior graduate was bound to attend a course of lectures under the master or superior; and every master was not only empowered, but required, publicly to teach some of the subjects pertaining to his faculty. Thus the masters were the recognised public teachers of the university; but the inconvenience of so great a number of graduates lecturing was soon felt, and consequently the distinction was introduced between regent, or lecturing masters, in the public schools of the university, and non-regents, who did not lecture. In some places the former constituted the entire body of the university, and in others it constituted it in so far as respected purposes of legislation. Thus, in Oxford, the regents, tutors, or masters formed the House of Congregation, in which all measures of government originated before they passed to the House of Convocation, in which all full graduates had a vote. The distinction of regent and non-regent was, however, early obliterated in the English universities, except only in the faculty of Arts. This faculty, in the scholastic system of the middle ages, consisted of seven arts:—three principal, namely, grammar, rhetoric, and logic;—four subordinate,—arithmetic, music, geometry, and astronomy. Hence, at different times, degrees were conferred in one or other of the arts instead of the whole faculty, an irregular practice, of which a vestige still exists in the music degrees, conferred by the university of Oxford. Originally, the students at Oxford and Cambridge, as in foreign universities, merely frequented the town for the purpose of attending the public schools, which were the only buildings appropriated to academic purposes, and they lived as suited their own convenience. Afterwards, in order to insure a somewhat stricter discipline, the system of halls or hostelries was introduced. These were properly boarding-houses, to which the students were admitted: they elected, from among themselves, their principal or rector, who was approved by the chief authority of the university. Many, however, still continued to find private lodgings for themselves, even at the time when the system of halls was in full operation. At the beginning of the fourteenth century, there were upwards of 300 halls in Oxford; after which period the number of halls and of students rapidly declined: in Cambridge, they were also numerous, although less so. In the latter university different halls were appropriated to the reception of students in different faculties, as was also probably the case in Oxford. Colleges were of later institution. They were, in

their origin, foundations for the benefit of poor students, raised by the munificence of private individuals. In these foundations, a certain number of youths were admitted as scholars, for whom lodging was provided, and a provision toward their maintenance, that they might enjoy the benefit, in which all participated alike, of the nearly gratuitous instruction of the university; a certain number, generally of graduates, denominated fellows, received a higher provision; the head of the institution, being called by the various names of principal, rector, master, warden, dean, &c. These colleges were appropriated, according to the caprice of the founder, to the natives of particular districts, students of particular schools, &c. Finally, a university, under the ancient system, was completed by the appointment of professors, or recognised public readers in the faculties, paid by salaries instead of the small fees previously received by the regents,—an innovation which, in the course of time, materially interfered with the right of lecturing by simple graduates, though they continued to exercise that right down to a very late period.

Such, in a few words, is the outline of the constitution of universities, according to the usual form of these institutions in the fourteenth and fifteenth centuries. But in process of time, their constitution was materially changed in all countries; and in none, perhaps, has it been more changed than in England. Hence, though the foregoing sketch be material to the understanding of the technical language and system of Oxford and Cambridge, their present constitution is widely different from that which it delineates. The steps by which the alteration took place were very gradual, and chiefly originated in the increased influence of the colleges.

The oldest college in Oxford is supposed to be Merton, founded by John de Merton, about 1261. Peterhouse, as a college, is the most ancient in Cambridge, although St. John's existed before it as an endowed religious house; its charter of foundation bears date 1283. From that period to the Reformation, the progress of collegiate foundations was continual. Fourteen colleges were founded before the Reformation in Oxford: thirteen in Cambridge. The number of students in the two universities was greatest in the thirteenth century, when they were calculated, in each, at many thousands. In the following century they greatly diminished, owing partly to the decreasing repute of the scholastic philosophy, and partly to civil war,—a tendency which was still farther increased by the religious disturbances of Henry VIII.'s reign; so that at the Reformation, while the colleges had become comparatively numerous, the halls had fallen into much decay, and both universities were nearly destitute of students, except those attracted and supported by the charitable foundations of the colleges. In 1500, the inhabited halls in Oxford were reduced to fifty-five: in 1546, to eight; and the few which survived, did so from their becoming the property of colleges, while others were merged in the colleges themselves.

When, therefore, after the Reformation, the universities began to be again frequented by numerous students, the colleges almost alone survived the wreck of the ancient university institutions. It was, probably, not until the sixteenth century that they received inde-

pendent members, unconnected with their foundations, as students. But in the course of that century the whole academical population became congregated within their walls and those of the few licensed halls. Several new colleges were also founded in both universities during that century, and various halls transmuted into colleges. In the reign of Elizabeth, when the new system had become fully established, the regent masters were deprived of the initiative in legislative measures in the House of Convocation in Oxford, which was transferred to the hebdomadal meeting of heads of houses; and the council or meeting of high functionaries, styled the Caput, was invested with the power of putting a previous veto on any grace, *i. e.*, legislative measure, to be proposed in the senate at Cambridge.* The statutes of Oxford were reduced into a body under Archbishop Laud (chancellor of the university) in 1638, and still form the recognised academical code; though since that period, the greater part of them has become virtually obsolete, and the change from the ancient university system to the modern confederacy of colleges has been completely effected. In the first place, all substantial examination for degrees (except the lowest in arts, to which may be added at Cambridge the lowest in civil law and in medicine) has been discontinued. The other degrees are conferred, as of right, on those who have attained a particular standing, without reference to proficiency, or (with some slight exception) the necessity of residence. Consequently, all compulsory attendance on the lectures of the public readers or professors in the various faculties has been nearly dispensed with; and, with few exceptions, they are now attended only by voluntary hearers. The *necessary* education of Oxford is confined to that required to attain the degree of bachelor of arts. The amount of proficiency indispensable for the attainment of this degree is fixed by the university; and it is conferred on such only as have satisfied public examiners of their having attained this proficiency. The instruction required for this object is furnished by the tutors of the several colleges. And as no one can belong to either university, unless he have been entered at, and have resided within the jurisdiction of, one of its colleges or licensed halls, so no one can attain the university degree of B.A. unless he have gone regularly through the course of collegiate instruction of the house to which he belongs. The system of honours, that is, the system of classifying the competitors for the degree of B.A., according to their proficiency, is of modern institution. This preliminary notice seemed to be necessary, by way of introduction, to a description of the English universities. In proceeding to lay before the reader an account of their present constitution, and of the education which they give, we begin with Oxford; but the greater part of the usages which we shall detail are common to both, and, where any difference may exist, it will be specially noticed.

The colleges of which each university is composed are to be regarded in a double light: in the first place, as charitable foundations for the maintenance of a number of students, and of resident graduates; in the next place, as houses of education, in which youths desirous of

* See a letter by Casaubon, dated July, 1613, giving an account of the University of Oxford, and of the Bodleian Library, in Hallam's Literature, iv. 86.

obtaining university degrees are lodged and placed under the superintendence of tutors. In the first point of view, each college is an independent corporation, wholly unconnected with the university at large, except as its members, individually, are subject to its statutes; governed by laws of its own, being for the most part such as were imposed by the original founder, and subject to the inspection of its own visitor, appointed in its charter of foundation.

At the head of each college is the head or principal, an officer called by various titles in different colleges (master, rector, president, warden, &c.). Except in one or two royal foundations, the heads of colleges are appointed by election of the fellows, from among their own number. This office is for life; and they are generally allowed to marry. The incomes of the heads of colleges vary so greatly as to render it impossible to give any definite account of them; they generally arise from the produce of a double fellowship, from college livings attached to the headship, &c. In most colleges the heads are necessarily clergymen. They exercise superior authority in the discipline of the college, considered as a place of education; but in other respects they only form part of its legislative council, being assisted by the fellows. Both at Oxford and Cambridge the heads of colleges exercise an important office in the government of the university, which will be explained when those bodies are considered collectively.

The fellows form the governing body of the college. Their number is everywhere different: some fellowships are constituted by the original foundations, and, in many colleges, others have been added by subsequent benefactors. In numerous colleges in both universities, fellows are necessarily graduates, either by statute or by common usage; having passed the lowest degree, that of B.A., or student in civil law. But this is a rule subject to many exceptions, as every foundation is governed by its own laws; *e. g.* at New College, Oxford, being an establishment connected with the college of Winchester, persons of the founders' kin are fellows as soon as admitted, and the rest after two or three years' probation. The classes of individuals eligible to fellowships are also limited by the statutes peculiar to each establishment, so that the greatest variety prevails. In Cambridge, however, limitations to particular schools, dioceses, and districts are less common than in Oxford; but, on the other hand, it is the ordinary practice in the former university for each college to elect, to its fellowships, only students of its own. From the great size of the colleges of Trinity and St. John, the choice in them is very large, and the election has all the advantages of open competition,—the fellows being elected out of the body of scholars after a strict examination in classical and mathematical learning, and wholly on comparison of their relative merits. In Oxford, all or some of the fellowships, at several colleges, are open to all graduates of the university; but while in some of these the election is on the principle of free competition, and preceded by a strict examination, it is, in others, matter of private interest and favour. The great majority, however, of Oxford fellowships are limited by the will of the founders to particular schools and localities, or come by rotation to such as are already scholars on the foundation. The fellows, therefore, of the two universities constitute a very miscellaneous body, comprising, in some

houses, the highest talent and abilities of each; while, in others, they are not distinguished by these characteristics.

Fellowships are in general limited to persons studying with a view to holy orders: but there are exceptions to the rule in both universities. Time is allowed by the statutes for an individual elected to make his choice of a profession; and thus a certain number, who prefer to remain out of orders, vacate their fellowships after a few years. Vacancies are also made by marriage, against which the statutable rule is uniform in all houses; and by the acceptance of livings in the gift of the college (which are offered to the fellows as they fall vacant in order of seniority), or of any other living or situation statutably incompatible with the fellowship. Thus the succession is in most colleges pretty rapid. The incomes of fellowships are extremely various: the best at Oxford are supposed to be worth, in good years, from 600*l.* to 700*l.*, while many do not exceed 100*l.*, and many at Cambridge fall far short of that sum. They are paid out of the college revenues, which are for the most part received in corn rents, varying with the price of that commodity. The fellows have also a considerable portion of their board provided for them by the college, if in residence. The amount received from a fellowship varies from year to year; part of the income of a college being usually derived from fines on the falling in of beneficial leases, and the corporate expenses of the college being also very variable. It is usual in most colleges for certain funds to be set apart yearly, derived in part from taxation of the fellowships, in part from the rent of rooms, &c. &c., for the general purposes of the establishment, technically styled "Domus." Out of this fund, repairs of buildings, purchase of livings, &c., are usually made; and in this manner the great architectural undertakings of late years in both universities, but more especially in Cambridge, have been provided for.

The college tutors, who take charge both of the students on the foundation, and of those who are independent of it, are selected from among the fellows, together with the officers, as dean, bursar, &c. Besides these officers, the fellows are not in general required to be in residence. There are, however, usually a certain number, either taking pupils as private tutors, or residing for purposes of study; and among the older fellows, there are to be found in most colleges a few who prefer the quiet monotony and ease of a college life to a dwelling elsewhere. It is customary in some colleges for individuals elected to fellowships to pass a year as probationers, during which they receive no income, and are considered as holding their appointment merely at will.

The scholars are under different regulations, and enjoy different advantages, at different colleges. They are upon the foundation; but not so closely connected with it as the fellows. The period of eligibility varies; but those elected are always undergraduates. In the larger colleges at Cambridge, the scholarships are numerous, and open to undergraduates of the college, forming small college prizes: at Oxford, the scholars in some colleges succeed by rotation to fellowships. In the latter university they wear a different gown from the rest of the undergraduate students. Scholars are often elected, both in colleges where the competition is open, and where it is restricted,

before they have begun to reside at the university. Scholarships are, as may be supposed, very various in point of emolument; ranging from 100*l.* or 80*l.* to 20*l.* or less per annum, together with some advantages in the way of board. In respect of discipline and education, scholars are on precisely the same footing as the independent students. In some colleges, the body answering to that of scholars bears a different name; as the demies (semicommunarii) of Magdalen, Oxford, &c. &c.

Exhibitions are annual pensions, given by colleges, free and endowed schools, &c., to support or aid youths proceeding from them to the universities or to particular colleges. Some are very valuable. Exhibitioners are not in general considered as on the foundation.

Besides these, there are several classes of inferior students (and also choristers in some colleges) provided for, wholly or in part, by the foundations. These poor students bear various names; as, at Oxford, servitors, bible-clerks, (at Christ-church, scholars.) They were generally required to perform some menial offices in the college; a custom of which some relics still subsist. At Cambridge, where they are generally termed sizars, their position is more elevated.

In point of college system, the laws which regulate the several foundations, their component members, and the relation in which they stand to the university, there is no material difference between Oxford and Cambridge. But in tracing the system of education pursued at each, in which both the college and the university perform their respective parts, it becomes necessary to consider the two institutions separately. The following account, therefore, will relate exclusively to the course of study and academical progress of a student at Oxford: the plan pursued at Cambridge will then be detailed separately, in so far as it differs from the former.

Every individual admitted to the University of Oxford (in the language of the place, matriculated) is entered on the books of some college or hall. At the time of matriculation, he is sworn to observe the statutes of the university, or submit to such penalties as may be imposed for their violation; and subscribes his assent to the Thirty-nine Articles. Whether he commence residence immediately on matriculation, depends on circumstances: it is not usually required of him until three or four terms afterwards; nor can he be admitted unless there be room for him in college, as lodging out in the town is in no case allowed to men under twelve terms' standing. There is no difference, in respect of priority of degree, admission, &c., between gentlemen commoners and commoners: the only privileges of the former consist in a particular dress, and in a separate table at the college dinner, with some trifling indulgences in particular colleges. Noblemen, however, and the eldest sons of baronets and knights, have certain advantages; the time for passing the first degree being shortened in their case.

Subjoined is a summary of the different periods at which the several degrees, &c., occur in the course of a student at Oxford. It will be recollected, that there are four academical terms in the year: Hilary, Easter, Trinity (or Act), and Michaelmas; and that the year of academical residence includes, in all, rather more than half the real year.

Responsions (preliminary examination), from sixth to ninth term.

General Sophist (a mere formal title), after two years.

Degree of B.A., after sixteen terms complete; of which twelve are only necessary in residence.

Degree of M.A., twelve terms from that of B.A; of which actual residence is requisite during one only. (A master of arts becomes a regent after the act subsequent to his degree: and thus acquires the privilege of voting in convocation. The act is on the first Tuesday in July.)

Degree of Bachelor in Civil Law, three years from the regency.

Degree of Bachelor in Civil Law, without passing through arts, twenty-eight terms; of which seventeen in residence.

Degree of Doctor in Civil Law, five years from B.C.L.; shortened to four for those who intend to practise at Doctor's Commons.

Degree of Bachelor in Medicine, one year from regency; doctor in medicine, three years more.

Degree of Bachelor in Divinity, seven years from regency; doctor in divinity, four more.

Degrees in Music are merely honorary: but the performance of some piece of music is required by way of exercise.

On matriculation, the student is assigned to the superintendence of some one of the tutors of his college. This, however, in most colleges at Oxford, is little more than a form; as all the tutors (two, three, four, or five in number) generally divide both the discipline and instruction of the college among themselves; and the student is equally under the superintendence of them all. The chief part of the instruction imparted by the tutors is comprised in the lectures which they deliver. But these lectures are not harangues, like those of the professors here and in the Scotch colleges, but a species of catechetical exercises intermixed with reading and discussion. The practice is for the tutor or lecturer to go over some portion of a classical or mathematical work, in use at the university examinations, to explain it to his pupils, and to examine them upon it. This appears to be a far more effective method of instruction than that of more formal lectures, even when the latter, which is rarely the case, are followed by examinations. The principal objection to the system turns upon the fact of its being wholly intended and calculated to fit the student for passing the peculiar examinations he will have to undergo; the making him acquainted with the subjects prelected upon in all their bearings being held to be a different and, practically, an inferior consideration. This, however, is an objection that applies to all systems of teaching in which examinations are to be the principal tests of proficiency; and with which, consequently, it is very difficult to deal. Students at Oxford at first generally attend the prelections of three or four tutors each day. There is but little division of labour among the latter in the same house. Divinity is usually part of the province of the dean of the college (the highest of its officers connected with education); and there is, in those which have a considerable number of undergraduates, a tutor whose lectures are confined to mathematics: but, with these exceptions, every portion of the range of subjects constituting the academical education may be taken indifferently by any tutor. Tutors, also, occasionally prelect to a smaller class, consisting of those about

to be examined for honours, on authors of greater difficulty. Besides the lectures, there are college examinations at the close of the term (called collections), occasional compositions in Latin and Greek, and college prizes for composition.

In the sixth or eighth term (unless dispensation be obtained for a later period) after matriculation, the student must pass the preliminary university examination termed responsions, or, in common parlance, "little go." This examination is generally in three or four classical authors, selected by the student; and either a portion of the Oxford logic, or a few books of Euclid, according to his choice.

As there is no classification of merit in this examination, there is no temptation to exceed the necessary amount of proficiency. The examiners are termed the masters of the schools. To have thrice failed in passing this examination (in Oxford phraseology, to have been plucked), is generally considered a disqualification for farther pursuing the studies of the university.

After this period, the more important preparation for the public examinations for the degree in arts generally begins in earnest. Those who are anxious to take honours, generally about this time engage a private tutor (not necessarily of their own college) who may be able to render them more assistance, and pay them more exclusive attention than the tutor of the college. The fee of a *private* tutor at Oxford is 50*l.* a year; at Cambridge, where the academical year is rather shorter, 40*l.*

The public examinations for the degree of bachelor of arts are held twice a year; viz., in Michaelmas and Easter Terms. For those who are simply desirous of obtaining the necessary degree, without any honourable distinction, it is necessary to be able to undergo an examination,—1. In divinity: amounting to a general acquaintance with the original gospels, scripture history and doctrine, the Thirty-nine Articles of the Church, and the arguments usually adduced in support of them. 2. In classical literature: generally speaking, two Greek and two Latin authors, selected by the student among those of the more classical æra, with which a pretty accurate acquaintance is required. 3. In logic: this relic of the old discipline of the schools, retained at Oxford only, consists merely of Dean Aldrich's Compendium of Logic, which the student is expected to have learnt so as to be able to apply its rules practically to proposed questions. 4. In Latin and English composition.

The examiners for the degree are eight masters of arts, four in classics and four in mathematics, appointed by the vice-chancellor and proctors, with the sanction of Convocation. Those who fail in showing such an amount of proficiency as, in the opinion of the examiners, entitles them to their degree, are said, in the language of the place, to be "plucked;" a phrase which originates in an ancient custom by which any one, who objected to a degree about to be conferred in congregation, notified his dissent by plucking the sleeve of the proctor's gown.

The examination for honours, though different in many particulars at Oxford and Cambridge, is a peculiar characteristic of the system of the English universities. It is, however, of comparatively recent date:

having been first introduced, at Oxford, by the Examination Statute of 1801, remodelled by that of 1807. It has subsequently undergone many alterations; and, from being almost wholly conducted *vivâ voce*, has recently been more assimilated to that of Cambridge, by means of written answers. The present system is on the following footing:—

The candidate for honours may seek to attain them in classical literature and moral philosophy (in literis humanioribus), or in mathematics (in disciplinis mathematicis et physicis), or in both. It is, however, indispensably necessary, as a preliminary condition, that he should satisfy the examiners of his proficiency in divinity, although he is not, in general, subjected to a severer trial on this head than those who merely "go up" for a common degree; or "pass," as it is termed. It is also necessary for the candidate for mathematical honours to "pass," in the first instance, in classics.

The classical examination is conducted, in the main, on the principle of allowing the student to choose the books in which he is to be examined. These, however, must be pretty numerous, and comprise a tolerably extensive circle of Greek and Latin authors. Nevertheless, it is not common, at Oxford, to find in the university examinations any attention paid to Greek history, or poetry, after the time of Alexander; nor to Latin history, later than the reign of Augustus. The classical æra, with which the Oxford student is rendered tolerably familiar both in respect of historical detail and literary style, is narrowed within a very limited compass; and this, in the opinion of many, is advantageous, because he is thus conversant only with the best models of composition. It may be said that ancient authors are studied, at Oxford, rather in an enlarged than in a critical view. The discipline of the place may inspire the student with the taste of a scholar, but does not, in general, confer that close analytical knowledge of the ancient languages which is so much sought after at Cambridge. Composition, however, as well English as Greek and Latin, is gradually becoming a more and more essential part of the Oxford examinations. And it has been said, that while the plan, until lately, was for each student to be examined separately, an approximation has been made, of late years, to the Cambridge system of "papers;" the same set of questions being proposed in common to a certain number of candidates.

Two treatises of Aristotle,—the Nicomachean Ethics, and the De Rhetorica,—are still reckoned necessary class-books at an Oxford examination for honours: and some others of his works are occasionally added, at the discretion of the student. These books must be studied, and the substance of their contents committed to memory, pretty exactly: they furnish, likewise, subject-matter for a pretty extended course of examination in moral philosophy and in general literature. Plato is, or was recently, little studied at Oxford. In Greek composition, the principal models studied and followed are the dramatists, Thucydides, and Xenophon: in Latin, Virgil, Horace, &c., generally receive little attention beyond what is necessary to refresh school recollections. Livy is much read, Tacitus less; Cicero, by no means with so much assiduity as might be expected among gentlemen devoted to classical study: nor is elegance in Latin prose composition often

acquired. English composition is generally confined, at examinations, to a few translations, and to an essay or two on philosophical or antiquarian subjects, and is but seldom what might and should be expected. Part of the examination (less considerable now than heretofore) is conducted *vivâ voce*; the examiners successively confronting the student for three or four hours. The classical examination for honours lasts three or four days.

Mathematical examinations are conducted according to the Cambridge system; being, in pursuance of the latest regulations, wholly managed by way of written questions and answers. Out of ten papers of questions (in an examination of 1832), three were in algebra and geometry; two in the differential calculus; one in Newton's Principia, mechanics, hydrostatics, astronomy, and optics, respectively. It has been said, that the qualifications required of a first class man in mathematics, at Oxford, are about the same with those of an inferior wrangler at Cambridge: but it is obviously impossible to institute any exact comparison between them.

When the examinations are concluded, the candidates for honours are *classed*. There are four classes of honours in each branch; the number of those who have "passed" without attaining honours forming the fifth class in the classical branch. Their names are not published; while those included in the two sets of four classes are printed, each class alphabetically, in the university bulletin, and rendered public. There is thus an approximation to a system of ranking according to merit, without its being fully acted on, for all those whose names stand in the same class appear as equals. There are ordinarily from six to twelve names in each of the two first classes: of course, a first class in both classics and mathematics (a "double first," in the language of Oxford) is the highest honour to which a student can attain. Instances are common enough of candidates for honours succeeding only so far as to pass: sometimes they have not even that good fortune; while, on the other hand, individuals who merely go up for a "pass," by evincing an unusual proficiency in their examination, find themselves elevated to the fourth or third class in classics.

This account of the examinations for honours will serve, with proper modifications, as a sketch of the manner in which other examinations are conducted; such as those of the colleges for fellowships and scholarships; those for the open university scholarships, &c. It is only necessary to state that mathematical knowledge generally goes for little in college competitions for fellowships, unless the college should chance to be in want of a mathematical tutor.

With the degree of B.A., or, rather, with the examination for it, the academical course of a student virtually ends; and a majority, including most of those not destined for the church, leave the university immediately afterwards; having remained there three or four years. The expenses of an undergraduate vary so materially, according to the habits of each individual, that it is impossible to give any satisfactory statement on the subject. Perhaps the whole expenditure of such commoners as live on the most economical scale (allowing for travelling expenses), may vary from 200*l.* to 250*l.* a-year; what is spent above the latter sum must be set down to the tastes

and inclinations of the individuals. This does not, of course, include a private tutor's fee, an expense which is seldom incurred except by those who are preparing for honours, and not always by them. The college accounts (technically called battels), which comprehend a slight annual payment to the university, the college fees to tutors, expenses of board, room-rent, coals, candles, and a few other items, vary from 60*l.* to 100*l.* at different colleges, for commoners, and from 30*l.* to 40*l.* more for gentlemen commoners. There are sundry abatements for those on the foundation. The students dine together in the college hall, sitting at separate tables according to their ranks and degrees: their other meals they take in their own rooms.

There is, however, always a considerable number of graduates, of the degree of B.A., in residence at Oxford. Those who intend to enter orders must attend a course of lectures of the divinity professor after their degree. One term of residence, also, is required for a bachelor of arts, before he can proceed to the degree of M.A. There are probationary fellows, of whom residence is required, and others preparing themselves for examination for fellowships: others, again, reside as private tutors. Those on the foundations are, for the most part, accommodated within the colleges: the rest lodge in the town.

Degrees in civil law, and medicine, are merely nominal honours, which, though not conferred on special examination, cannot be obtained until after a bachelor's examination in arts. They are assumed, in general, by such as intend to practise in Doctors' Commons, or as physicians. For degrees in divinity, attendance on divinity lectures is requisite: there are, besides, disputations and exercises enjoined by statute for all the higher degrees, but their performance is little more than nominal.

Few remain at Oxford after the degree of M.A., except such as are concerned with the discipline either of the colleges or of the university, as tutors, professors, &c. But it is usual for most masters of arts, especially for clergymen, to keep their names on the books of their respective colleges, at a slight annual expense. By this means they retain the privilege of voting in the Houses of Congregation and Convocation; and thus it is that questions affecting the government of the university, the election of its representatives in parliament, its officers, &c., are frequently decided by non-resident voters.

The university of Oxford is incorporated by the style of "The Chancellor, Masters, and Scholars of the University of Oxford." Its ancient charters to this effect are confirmed by the Act of Incorporation, passed in the thirteenth year of the reign of Queen Elizabeth. Its statutes, as previously stated, were reduced into a digest in the chancellorship of Archbishop Laud; whose "Corpus Statutorum" is still recognised as the governing code of the university, though many of its provisions have been, in effect, abrogated by usage.

The Chancellor of Oxford was elected in ancient times, for three years; but since 1484, for life; and this office, originally held by a resident at the university, has long been little more than an honorary dignity, conferred on some distinguished lay or spiritual lord. But,

although the Chancellor's ordinary powers are delegated to the Vice-Chancellor, he is still the first officer of the university, and is legally invested with its civil jurisdiction.

The High Steward, or Seneschal, is appointed by the Chancellor: his principal office is that of holding the university courts leet. He has a criminal jurisdiction; and he is the proper defender of the privileges of the university. This office may also be performed by deputy.

The Vice-Chancellor is, in effect, the supreme executive and judicial authority in both universities. He is annually nominated, at Oxford, by the Chancellor as his deputy; but, in practice, the office is held in rotation by the heads of colleges for four years.

The proctors (senior and junior) are university officers, appointed annually: they are nominated by the colleges from among their own members, each college taking its annual turn according to a peculiar cycle, fixed by the Caroline statutes of Charles I. They must be masters of arts between the standing of four and ten years. Their duties are of a very miscellaneous character; but they are best known as conservators of the peace of the university; in which office they are assisted by the pro-proctors, and have under their command the academical constabulary force. They have power to repress disorders among the students, to inflict summary academical punishments, such as the imposition of tasks, confinement to college, &c.; and they have also an extensive police jurisdiction in the town. Their summary authority extends both over undergraduates and bachelors of arts, who are still considered by the university as in *statu pupillari*.

The corporate business of the university is transacted by the masters at large in two different assemblies. *Congregation* consists of regents, either *necessary* or *ad placitum*; i. e., chiefly residents at the university. Its business is chiefly of a formal character: confined to the giving degrees and granting dispensations. *Convocation* is the legislative assembly of the university. Members of Convocation are all regents, whether on the foundations, or independent members who retain their names on the books of the colleges (*convictores*). The members of Convocation amounted, in 1846, to 3,068. But the legislative power of this body is limited by two material restrictions. In the first place, any proposition to explain or amend a royal, or Caroline, statute (those enacted by Charles I.) cannot be received without royal permission. In the next place, any proposition to enact any other new statute, or explain an old one, must first be referred to the hebdomadal meeting; which, if it approve the proposition, draws up the terms in which it must be submitted to Convocation; and thus, in fact, takes the initiative in every measure. This body was first instituted in the reign of Charles I., and is composed of the Vice-Chancellor, proctors, and heads of houses.

The Oxford professorships are of two classes; those established by royal foundation, and those of private endowment. It has been already seen, that the professors, as such, have no direct concern with academical education or discipline. Attendance on their lectures is seldom necessary for the attainment either of university rank or college emolument; although, for the purpose of being admitted to holy orders,

it is necessary for bachelors of arts, unless they have a dispensation, to give a brief attendance to the lectures of the regius professor of divinity. The lectures of professors, therefore, are only attended by voluntary students. Some lectures are given gratuitously *ex officio*; but there are also courses for which fees are received. Popular lectures on interesting subjects frequently attract considerable audiences; but, in general, public lectures are ill attended; and sometimes those which should be given *ex officio*, are dispensed with, on the score of non-attendance.

The *regii professores*, appointed by the Crown, comprise those of divinity, civil law, medicine, Hebrew, and Greek, founded by Henry VIII.; and those of botany, modern history, anatomy, since founded, or enlarged from private foundations. They are generally well paid, not only out of stipendiary funds, but also by valuable preferments attached to the professorships; *e. g.*, canonries of Christchurch to those of divinity and Hebrew. The private professorships are,—1. Of divinity, the Margaret professorship, founded by the mother of Henry VII., filled by election of all graduates in divinity. 2. In literature and languages; the Camden professorship of ancient history, founded by William Camden, Esq., in 1622: election by Convocation. Poetry, by Henry Birkhead, Esq.: election by Convocation. Anglo-Saxon, by Dr. Rawlinson, in 1750: election by Convocation. Arabic, Laudian professorship, founded by Archbishop Laud: election by officers named in the foundation. Arabic readership, by the Lord Almoner. 3. In common law, the Vinerian professorship, founded by Charles Viner, in 1755, together with common law scholarships: elections by Convocation. 4. in political economy, a professorship founded by Henry Drummond, Esq., in 1825: election by Convocation. 5. The professorships and readerships in the natural sciences are very numerous; but, as these sciences are in no respect introduced into the academical system of education, Oxford has never been in repute as a school of natural philosophy. They are,—The Sedley professorship of natural philosophy (electors appointed by the founder and warden of All Souls); the Savilian professorships of geometry and astronomy (electors appointed by the founder). Lord Lichfield's clinical professorship, and the Aldrichean professorships of medicine and chemistry (founded 1803): election by Convocation. Lee's lectureship in anatomy, and the readerships in experimental philosophy, mineralogy, and geology, appointed by the Crown. 6. Professorship of music, founded by William Heather, in 1626: electors, the proctors. As a general rule, professorships are open to members of all colleges; but it is not usual for Convocation to elect two members of the same college in succession to the same professorship.

The public orator was first appointed in the reign of Elizabeth. He is chosen by Convocation. His duty is, to write letters and addresses on public occasions, to present persons on receiving honorary degrees, and to deliver an annual Latin oration.

The university of Oxford is amply provided with public rewards, for competition among undergraduates and bachelors of arts, mostly through the munificence of private benefactors, both in the shape of annual prizes, and of scholarships, &c. These are open generally to

the whole university, although in some cases, the eligible or preferable candidates are limited by the terms of the endowment. The annual undergraduates' prizes are for Greek, Latin, and English poems: the bachelors' prizes, for Latin and English essays, and also for essays on subjects connected with divinity. There are classical university scholarships of two foundations (Craven and Ireland), mathematical and divinity scholarships, all given by open competition before examiners appointed by the university. Particulars respecting them are given in the University Calendar.

The Commemoration, or Act, is held once every year, on the first Tuesday in July, in the academical building called the theatre. On this occasion honorary degrees are conferred, high officers inaugurated: the public orator recites his annual oration, and the prize essays and poems are read. Honorary degrees, conferred on persons not connected by residence with the university, are usually in civil law.

It would be unpardonable to conclude this account of the principal establishments of the university, without noticing its great libraries, the Bodleian and the Radcliffe. The former derives its name from its munificent benefactor, the famous Sir Thomas Bodley (born 1544, died 1612), who bestowed on the university a large collection of books and manuscripts, brought, at an immense expense, from all parts of the world; and who, also, built a magnificent hall for their reception, and bequeathed large funds for their preservation and future increase. Besides the books that have been purchased and acquired by donations from Laud, Selden, and a host of others, this library has received, for many years past, copies of all works entered at Stationers' Hall; so that it now comprises a very large and most valuable collection. The Radcliffe Library was founded by the posthumous liberality of an opulent physician of the same name (born in 1650, died in 1714). A magnificent circular building for the reception of the books was opened in 1749: the latter principally consist of works on Natural History and Medicine; and of late years none else have been added to the collection.

The famous printing establishment, called the Clarendon Press, from Lord Clarendon, who gave the copyright of his History of the Rebellion to Oxford, was originally established in 1712 in a building erected from the profits of this work. Latterly, however, it has been removed to a more splendid and extensive building. It is under the superintendence of a committee of eleven delegates; and all the books which issue from it are either such as are printed under the command and direction of the delegates, or by private authors, with their express permission.

The income of the university itself is inconsiderable; arising, in part from property, but chiefly from fees paid on degrees, &c. The revenues of the professors and other officers are generally distinct from the public chest of the university, and arise out of royal or private endowment. But the great wealth of Oxford is concentrated in the hands of the colleges; and as these bodies, collectively, form the academical body (all education for university purposes being carried on within their walls, and all students entered on their books), a separate mention of each appears to be a necessary part of an account of the university.

University College is ranked in common opinion as the oldest in Oxford, though, perhaps, without any very substantial reason. The æra of its foundation is, in fact, unknown; but its oldest statutes bear the date of 1280. The foundation consists of a master, thirteen fellows, sixteen scholars, and exhibitioners. Of the fellowships (which, as well as the scholarships, were given by different benefactors), some are for natives of the county of Durham only; some for those of the dioceses of York, Durham, and Carlisle; others for those of the rest of England, with the exception of these dioceses. Number of resident undergraduates generally fifty or sixty.

Baliol College was founded by John de Baliol of Barnard Castle, in Yorkshire, and his lady Dervorgilla, between 1263 and 1268. The foundation, increased by the donations of various benefactors, is for a master, twelve fellows, and fourteen scholars, besides a considerable number of exhibitioners: of the exhibitions 14 are for natives of Scotland, 4 being appropriated to Episcopalians, and 10 to *alumni* of the University of Glasgow. Adam Smith held one of the latter. The fellowships and scholarships, at Baliol (with the exception of two of each, which are confined to persons elected from Tiverton School), are open to the university in general, and are among general prizes, being given away on a *bonâ fide* examination to the best candidates. The master and fellows of this college enjoy a privilege possessed by no other in either university—that of electing their own visitor. Baliol has no gentlemen commoners. The number of commoners in residence is generally from sixty to seventy.

Merton College originated in the translation of a foundation by Walter de Merton, Bishop of Rochester, and Chancellor of England, from Malden, to Oxford, in the year 1274. Parts of the buildings belonging to this college, including its treasury or record room, and its library, are regarded as the oldest specimens of collegiate architecture in Oxford. The foundation is for a warden, twenty-four fellows, fourteen *portionistæ* (vulgò postmasters), four scholars, two chaplains, and two clerks. The postmasters correspond, in fact, to the scholars of other colleges. The fellowships are open to natives of all parts of England (not including Wales), with the exception of those of the dioceses of Hereford, Chichester, Exeter, Rochester, Lichfield and Coventry, Chester, and Carlisle. The fellows are elected by favour, and not on comparison of literary merit. The independent members are not numerous, generally from fifteen to twenty commoners. The chapel of Merton is a fine specimen of the English style of the fourteenth and fifteenth centuries.

Exeter College was founded in 1314, by Walter de Stapledon, Bishop of Exeter, with the title of Stapledon Hall; and the scholars from Hart-Hall were then removed to it. The present foundation consists of a rector and twenty-five fellows, besides numerous scholars and exhibitioners. Some of the fellowships are confined to particular dioceses, others to particular counties, generally in the west of England; but, as far as is consistent with the terms of the foundation, the election to some of them is open to free literary competition. The independent undergraduate members are usually a small number of gentlemen commoners, and from 80 to 100 commoners.

Oriel College was founded in 1326, by Edward II., "on the suggestion of his almoner, Adam de Brome." The name is derived from a small house, or messuage, called la Oriole in the old statutes of the house, which stood on the spot afterwards occupied by the foundation. This college has a provost, eighteen fellows, and twenty-four scholars and exhibitioners. Four of the fellowships are for the counties of Somerset, Dorset, Wilts, and Devon: the rest are open to nearly unrestricted competition. They have been long regarded as among the most distinguished prizes which Oxford offers to academic merit, the election taking place on a *bonâ fide* examination. This college has usually from ten to twenty undergraduate gentlemen commoners, and from fifty to seventy commoners in residence.

Queen's College was founded by Robert Egglesfield, chaplain to Philippa, queen of Edward III., for the encouragement of students from the north of England. The old foundation consists of a provost and sixteen fellows, two chaplains, eight taberdars (so called from the taberd, or gown, which they formerly wore), twelve probationary scholars, and three clerks. The fellows must be elected from the counties of Cumberland and Westmoreland. There is also a new foundation, consisting of eight fellowships, four scholarships, and several exhibitions, founded chiefly out of estates left for that purpose by John Michel, Esq., of Richmond, in Surrey. These last fellowships are only for the term of eleven years; an unusual limitation in the university. They are open, and candidates elected on free competition. It has also numerous exhibitions. The independent members are numerous: about 100 undergraduates are generally in residence.

New College was founded in 1386, by the famous William of Wykeham (already mentioned as the founder of Winchester college), for a warden, seventy fellows and scholars, ten chaplains, &c. The fellows and scholars are chosen by annual election from the college at Winchester, vacancies being filled up as they occur. Those of kindred to the founder are fellows at their first admission, without regard to age: the rest are considered probationers, and termed scholars for two years. Members of this foundation are exempted from the university examinations, proceeding to their degree immediately, by virtue of a certificate from their college. Except a few gentlemen commoners, rarely exceeding six or seven undergraduates, this magnificent institution admits no independent members. It is remarkable, considering the want of stimulus to exertion which is supposed to result from their exclusion from the schools, that many members of New College have been distinguished as *prizemen* for their merit in classical composition. The chapel of New College is usually considered as the finest interior in Oxford, though falling far short of the inimitable chapel of King's at Cambridge. It has, however, been much defaced by modern restorations.

Lincoln College was founded in 1427, by Richard Fleming, Bishop of Lincoln. The foundation consists at present of a rector, twelve fellows (limited to the old dioceses of Lincoln and York, except one, which is confined to the diocese of Wells), eight scholars, twelve exhibitioners, and a Bible clerk. This college has generally from thirty to forty undergraduate commoners.

All Souls College was founded in 1437, by Henry Chichele, Archbishop of Canterbury; and his foundation remains unaltered. It consists of a warden, forty fellows, two chaplains, and a number of clerks. The election of fellows to this foundation is entirely unrestricted: the qualifications required by statute for a candidate are that he shall be "*benè natus, benè vestitus, et in arte cantandi mediocriter doctus!*" In practice the fellows are elected from the university at large, because of personal interest with the electors, or of birth, connection, and agreeable manners: and, true to their original constitution, it has been for several years the aim of the college to draw to itself the most distinguished candidates who could be found in these respects, without much or any regard to scholastic attainment. This college is the only one in Oxford which subsists entirely as a society of graduates, admitting no independent members, and no students, except the few clerks attached to the establishment. The beautiful towers of All Souls, structures belonging to no particular school of architecture, were raised about the middle of last century.

Magdalen College was founded in 1456, by William of Waynflete, Bishop of Winchester and Chancellor of England. The foundation consists of a president, forty fellows, thirty scholars (called *demies*), and several inferior members. The fellows are variously limited to different dioceses and counties: the demies may be elected from any part of England from which any fellows are eligible, with the exception of the dioceses of York and Durham. This is one of the wealthiest collegiate foundations in England; but its elections are so restricted by statutes, that it is also one of the closest. The only independent under graduates are a few gentlemen commoners. Much of the architecture of Magdalen College is well worthy of notice; but its chief title to admiration is the elegant tower, said to have been designed by Wolsey, which forms so prominent an object to those who enter Oxford from the east; it was raised in the reign of Henry VIII.

The King's Hall and College of Brazen Nose was founded in 1509, by William Smith, Bishop of Lincoln, and Sir Richard Sutton of Prestbury, in Cheshire. Its name is derived merely (it is supposed) from the brazen nose which decorated, by way of knocker, the door of the old hall on the site of which it was founded. This college has received many benefactions since its first establishment. It has, at present, a principal, twenty fellows, thirty-two scholars, and several exhibitions. Both fellowships and scholarships are, for the most part, confined to natives of particular localities, with preference, in some instances, to the kindred of the various founders. This college usually holds in residence a small number of gentlemen commoners, and about 100 commoners.

Corpus Christi College was founded in the year 1516, by Richard Fox, Bishop of Winchester, for a president, twenty fellows, twenty scholars, and two chaplains. The fellows are elected from among the scholars, the latter being confined to various dioceses and counties. The undergraduate members not on the foundation are only six or eight gentlemen commoners.

Christ Church was originally founded by Cardinal Wolsey, and

subsisted four years under his patronage; but at the period of his disgrace the foundation was still incomplete. Henry VIII. first suspended, and finally re-established, it; and, in 1545, the episcopal see having been at the same time fixed at Oxford, this institution was placed on the double footing of a college and a cathedral. The foundation then consisted of a dean, eight canons, eight chaplains, &c., together with sixty students; to whom forty more were afterwards added by Queen Elizabeth, and one by a subsequent benefactor (William Thurston). The canons of Christ Church have houses provided for them within the college: they may marry, and are on the same footing with the canons of other cathedral churches. One canonry is permanently attached to the office of divinity professor: another to that of Hebrew professor. Of the students, sixty-one are nominated by the canons, these nominations being a matter of private patronage: they answer both to the scholars and fellows of other colleges, being elected as undergraduates, and retaining their studentships until death or promotion. Queen Elizabeth's forty are elected from Westminster college.

This noble foundation, the first in Oxford, and, in some respects, the first in England (Trinity College, Cambridge, being its only rival), gives also instruction to a great number of members not on the foundation. It has been, in fact, for many years, the favourite place of education for noblemen, and for young commoners of rank and wealth. The number of noblemen varies according to accident, but usually comprises all those who attend the university. The undergraduate gentlemen commoners in residence generally vary from thirty to sixty: the commoners average ninety or a hundred. The buildings of Christ Church form a magnificent whole; but in detail, with the exception of the fine hall, they do not equal parts of some other colleges in architectural beauty. The old church of St. Fridiswida, now serving the double purpose of cathedral and college chapel, is a Norman building of high antiquity.

Trinity College was originally founded under the patronage of the priors and bishops of Durham; but that foundation having been suppressed at the Reformation, a college was established on its site by Sir Thomas Pope, in 1554, for a president, twelve fellows, and twelve scholars; to which a scholarship and three exhibitions have since been added. The scholarships are open, and given by free competition. The fellows are elected either from actual or superannuated scholars, with no restriction, except that there cannot be more than two of the same county (with the exception of Oxfordshire, which may have five at the same time). There are several exhibitions: and a few undergraduate gentlemen commoners, and fifty or sixty commoners.

St. John's College was founded in 1555, by Sir Thomas White, alderman and merchant tailor. It consists of a president, fifty fellows and scholars, &c. Of the fellowships, six are for founders' kindred; seven appropriated to particular endowed schools; the rest to Merchant Tailors' school. The founders' kin are fellows on admission; the rest scholars (or probationary fellows) for three years. There are generally from thirty to forty undergraduate commoners in residence.

Jesus College was founded by Queen Elizabeth, in 1571, on the

benefaction of Hugh Price, treasurer of St. David's. It has received additional benefactions; and now consists of a principal, nineteen fellows, eighteen scholars, &c., mostly natives of Wales. The independent members, of whom there are generally fifty or sixty undergraduates, are, for the most part, from the same part of the island.

Wadham College was founded in 1613, by Nicholas Wadham of Merifield, in Somersetshire, and Dorothy, his wife, for a warden, fifteen fellows, fifteen scholars, &c. The fellows are superannuated after eighteen years. They are elected from the scholars: of these the greater part are admitted on open competition: a few restricted to particular counties. Resident undergraduates about fifty.

Pembroke College was founded in 1624, by the endowment of the ancient Broadgate Hall, by Thomas Tesdale, Esq., and the Rev. Richard Wightwick, having obtained its name from Philip, Earl of Pembroke, then Chancellor of the University. At present the foundation consists of a master, eighteen fellows, and sixteen scholars. The fellowships, and most of the scholarships, are variously limited to schools, districts, and founders' kin. There are from forty to fifty independent undergraduates in residence.

Worcester College was founded by the endowment of Gloucester, or St. John the Baptist's Hall, a very ancient institution, in 1714, by Sir Thomas Cookes, of Bentley, in Worcestershire. The foundation, which has since received sundry augmentations, consists at present of a provost, twenty-one fellows, sixteen scholars, and three exhibitioners. The fellowships and scholarships are founded by various benefactions; and the fellows all elected from the scholars of their various foundations. Some of the scholarships are open. There are of independent undergraduates usually from ten to twenty gentlemen commoners (called in this college fellow-commoners) and about sixty commoners.

Halls.—The five surviving halls of Oxford are unincorporated foundations; so that whatever estates or other property they possess are held in trust for them by the university. The members of halls enjoy the same privileges as those of colleges. The principals receive annual rents from the students inhabiting the halls, who are independent members. The chancellor of the university appoints the heads of halls (with the exception of St. Edmund's Hall, to which the provost and fellows of Queen's appoint). The tutorial department, in such of these halls as still serve the purpose of education, is in the hands of the principal and vice-principal. St. Mary's Hall, belonging to Oriel College, has from twenty to thirty undergraduates (gentlemen commoners and commoners); Magdalen Hall (to Magdalen College), ninety; St. Alban's Hall (to Merton), twenty; St. Edmund's Hall (to Queen's), forty; Newtown Hall (to New College), a few. Students frequently come to these halls more advanced in years than is usual among those who commence their academical course in colleges; and the rules of residence are not, in some of them, as strictly enforced as elsewhere.

The number of names on the books of the colleges and halls, at Oxford, in January 1846, amounted to 5,873, of which 3,068 were members of Convocation (*i. e.* all regent masters, and upwards) leaving a surplus of 2,805. How many of the latter were undergraduates in residence

is not easily ascertained; but, in all probability, the number does not fall short of 1,500. There were, during 1845, 438 matriculations.

Cambridge.—The organisation of the collegiate bodies, and their rules of government, at Cambridge, vary from those of Oxford only in a few unessential particulars. The three ranks of independent undergraduates, in the former university, are noblemen, fellow-commoners (so called originally from having their commons, or college dinner, at the same table with the fellows), and pensioners. With respect to the discipline and government of those *in statu pupillari*, it is to be observed, that students at Cambridge do not subscribe to the thirty-nine articles, either at matriculation or afterwards; although, on taking their degree of B.A., they are obliged to sign a declaration of adherence to the Church of England. Lodging in college is not enforced on undergraduates, if there be not room within the walls of the building for their accommodation. It is chiefly to this circumstance that the great increase of students at Cambridge, of late years, is to be attributed; the members of the other university being necessarily limited by the amount of room for lodging them. With regard to members on the foundation, the scholars of most colleges at Cambridge, being generally elected by free competition from among the undergraduate members, form rather a distinguished class among the students than a body distinct from the independent members, and chosen without free competition, as is generally the case at Oxford. A distinction exists between two different classes of fellowships in most houses at Cambridge, which is only partially known at Oxford; viz., between the foundation fellowships, and what are termed the bye-fellowships and appropriated fellowships: the former being part of the original endowments, and generally open to all parties; the latter, founded by subsequent donations, and frequently limited by local or other restrictions. In most colleges, the governing body is composed of the foundation fellows only; and they alone are eligible to college offices. It has been already stated, that the general usage, at Cambridge, is for each college to elect its fellows from among its own members, whether scholars or independent: the chief exceptions to this rule occur in the small colleges, when they are in want of some individual to fill the office of tutor, and no satisfactory candidate presents himself in their own number.

In general, it may be said, that the Cambridge system is less strict in point of external discipline, and the undergraduates under rather less close control, than at the sister university; on the other hand, that emulation and close attention to study are more favoured and encouraged. All the regulations, both of the colleges and university, tend in this direction. Open competition, and rank according to merit, form the cardinal principles of the academical constitution, as far as it relates to students.

The system of public examinations pursued at Cambridge is, in many respects, different from that which subsists at Oxford: its details will serve to show what is the character of the instruction, and academical discipline, of the university: the public examinations being intended to call forth and exhibit the results of that instruction.

The peculiar characteristic of Cambridge is, and has been for nearly

two centuries, the pursuit of the mathematical studies, and of those branches of natural philosophy which depend upon them. It is, probably, in consequence of the general attention to these studies, that physical science, in all departments, has been more cultivated in this than in the sister university; but the proficiency of Cambridge men, in many departments not immediately connected with mathematics, can only be regarded as an indirect result of the cultivation of the latter; to which, and its cognate sciences, the chief machinery of the place, the lectures both public and private, the honours and emoluments both of the university and the colleges, have hitherto been chiefly devoted. Classical study, though now elaborately carried on, is comparatively of recent introduction.

The academical year at Cambridge commences with Michaelmas Term, when the several courses of lectures, &c., begin. At the end of each of the two first years college examinations are held, when the men of each year, as they are termed (*i. e.* all who have commenced residence at the same Michaelmas), are classed in order of merit. These examinations, in colleges of so great extent as Trinity and St. John's, almost partake of the nature of university competition.

The first university (or "previous") examination for the degree of B.A., takes place in the Lent Term of the second year from that in which the student commences residence. This "little-go" is of recent introduction (1829). The subjects of examination are the elements of divinity (including the Evidences of Christianity of Paley, the favourite text author of Cambridge), and one Greek and one Latin author. After this examination, the candidates are merely arranged, alphabetically, in two classes; those who have passed with credit, and those who have passed simply. Rejected candidates must attend the next year's examination.

The "previous examination" is followed by the "exercises," performed only by those who aspire to honours. These relics of old scholastic fashion consist of Latin theses (generally on subjects of moral philosophy), which are propounded by the student who is candidate for the degree of B.A. (the respondent), and answered by others, styled "opponents," in syllogistic form, in Latin, under the superintendence of the moderator. These exercises take place during the year preceding that in which the respondent intends to pass as B.A.

The practice of "degrading," or postponing for a year the degree of B.A., which had become common among students, gave rise to a recent statute, by which degraders are not allowed to present themselves as candidates for honours except by special permission.

The senate-house examination for the degree of B.A. takes place every Lent Term; so that (contrary to the Oxford practice) all the men of the same year, except such as have degraded, enter into competition at the same time.

The questionists, or candidates, consist of those who are and who are not candidates for honours. Each class is examined separately. The examination of the latter lasts six days: it is entirely conducted on paper; and the subjects, or questions, and exercises proposed are the same for all. They are in Euclid's Elements, arithmetic, and algebra, with some in the elementary parts of natural history; Homer and

Virgil, including questions in grammar, history, and geography; Paley's Evidences and Natural Philosophy; and Locke.

The examination of the candidates for honours (mathematical tripos) is confined to the mathematical and cognate sciences; with the addition of questions in divinity, logic, and moral philosophy; which, however, are regarded as subsidiary to the great purpose of the examination. It lasts seven days; the first six being entirely devoted to mathematics. Each day is of five hours and a half. On the first day, the examination extends to "such parts of pure mathematics and natural philosophy as do not require the methods of the differential calculus;" and, during the successive days, it gradually rises in difficulty. On the seventh day, the candidates are examined in logic, moral philosophy, and divinity. After the close of the examination the candidates most distinguished (thirty at least) are arranged in order of merit; being divided into the classes of wranglers, and senior and junior optimes; the highest of all being senior wrangler for the year: the greatest of English academical honours. The others, that is, in Cambridge idiom, the οἱ πόλλοι, or many, are also arranged according to merit. Those candidates between whom the examiners do not assign a difference of merit are *bracketed* as equals.

Down to a recent period the candidates for honours were divided into four classes, to whom different questions were usually proposed. But owing to the difficulty of fairly determining upon the comparative merits of those who had been subjected to different examinations, this plan, after undergoing various modifications, was wholly abandoned in 1838, since which time the same questions have been proposed to all candidates.

Smith's Prizes are two annual prizes for commencing Bachelors of arts in mathematics and natural philosophy. They are made the subjects of open competition shortly after the period of the mathematical tripos. Hence the adjudication of these prizes is, in some sort, the decree of a court of appeal, in which, sometimes, that of the examiners is reversed, and the second, or even a lower, wrangler becomes first prizeman.

The classical tripos, or examination, follows some weeks after the mathematical. It is a voluntary competition, to which those only who have obtained mathematical honours are admitted. It lasts five days; and the candidates are arranged, in order of merit, in three classes. The Chancellor's medals are annually given to two commencing bachelors of arts, senior optimes at the lowest, for classical merit. These, therefore, like the Smith's prizes, form separate subjects of competition: but it very often happens that the same individual has stood at the head of the classical tripos, and has also obtained the first Chancellor's medal.

The characteristic of classical study, at Cambridge, is a minute attention to the critical peculiarities of the Greek and Latin languages. This is carried to a greater extent than at Oxford; and the system of examination is framed with a view to produce and elicit as much of this knowledge as possible. Thus the "questions," or select portions of ancient authors, given to candidates for the tripos for translation and elucidation, are usually selected either from their

difficulty and grammatical or rhetorical peculiarities, or from their lying out of the line of ordinary reading, so that the student in explaining them, may be thrown as far as possible on his own resources. Such a mode of examination would appear to imply an extensive course of study on the part of the candidates. But that study, speaking generally, though critical, is not comprehensive. Familiarity with a few authors of the better age supersedes a general acquaintance with the remains of classical antiquity. It seems as if the University of Cambridge had borrowed from its own mathematical discipline the habit of binding down the mind to exercise itself thoroughly in a narrow range of topics, during the short space of the three academical years which pass before the degree.

Original composition forms no part of the tripos examination; but it is, on the other hand, a chief feature in the competition for the university scholarships. There are also annual prizes, as at Oxford, for several species of classical composition. It is in these exercises that the result, both of the previous knowledge and facility acquired at public schools, and of the critical acumen attained at Cambridge, is evinced in the most brilliant, if not the most satisfactory, manner.

The present statutes of the University of Cambridge were granted by Queen Elizabeth. The senate, or legislative body of the university, consists of two houses, the regents and non-regents. But every grace (*i. e.* proposition submitted to the senate) must have the previous approbation of the council, called the caput; which consists of the vice-chancellor, a doctor in each of the three faculties, and two masters of arts, who in practice are all five nominated by him.

The principal officers of the University of Cambridge have nearly the same titles and offices with those of Oxford; namely, the chancellor, high steward, vice chancellor, public orator (who is, as it were, the secretary of the senate, writing, reading, and recording letters to and from it, and presenting to honorary degrees), and the two proctors. There are also two officers peculiar to Cambridge, styled moderators, who are deputies of the proctors, and whose office it is to superintend the public exercises and examinations.

The principal professors are, the regius professors of divinity, civil law, physic, Hebrew and Greek, appointed by Henry VIII.; the Margaret professor of divinity, whose chair was founded by the mother of Henry VII., Margaret Countess of Richmond; the regius professor of modern history, appointed by George I. in 1724. Besides these, there are two professorships of Arabic (one founded by Sir Thomas Adams, in 1632; and the other styled the Lord Almoner's professorship); the Lucasian professorship of mathematics; professorships of casuistry, music, chemistry, astronomy and experimental philosophy, anatomy, botany, geology, astronomy and geometry, natural and experimental philosophy, English law, medicine, mineralogy, political economy; and a third professorship of divinity, founded by John Norris, Esq., in 1768. As at Oxford, the appointment to some of these is vested in the senate, to others in the Crown, and to others in special bodies of electors.

The professors, with the exception of those of civil law and medicine, are not directly concerned in the public education of the uni-

versity: although their lectures are, in general, better frequented than those delivered in Oxford. The following table exhibits the principal rules respecting the time required for proceeding to degrees at Cambridge. It will be observed that the year, at this university, for the purpose of residence, consists only of three terms; residence in Trinity Term not being required.

Degree of *B.A.*, after twelve terms, of which ten in residence.

M.A., bachelors of arts of three years' standing.

Bachelor of Divinity, A.M. of seven years' standing; but, by a peculiar usage, persons are allowed to proceed to this degree at the end of ten years without having taken any other; styled ten-year-men.

D.D., B.D. of five years', or A.M. of twelve years', standing.

Bachelor of Civil Law must be of six years' standing complete, and have resided nine terms: a B.A. of four years' standing is also admissible to this degree.

Doctor of Civil Law, five years from degree of B.C.L., or seven from that of M.A.

Bachelor in Physic may be admitted after five years' standing, and nine terms' residence.

Doctor in Physic, same as Doctor in civil law.

Licentiate in Physic, M.A. or M.B. of two years.

Bachelor in Music, required to enter his name at a college, and perform an exercise in his art.

Doctor in Music, generally a bachelor in music.

The following are the collegiate establishments of Cambridge, in order of foundation. It will be observed, that the name *Hall* is not given, as at Oxford, to houses without endowment: it is, in fact, used indiscriminately with *College*. The fellowships and scholarships are unlimited, or nearly unlimited, as to the birthplace or place of education of candidates, unless where otherwise specified.

St. Peter's College (commonly called Peter House), founded in 1257, by Hugh de Balsham, Bishop of Ely. The present foundation has sixteen fellows, ten by-fellows, and sixty-two scholars. One-fourth of the foundation fellows must be in orders; the by-fellows are not entitled to offices in the college, or to a vote in its affairs.

Clare Hall, founded in 1326, by Dr. Richard Badew, as University Hall; afterwards reconstituted by Elizabeth de Burgh, sister of Gilbert Earl of Clare. The society consists of a master, twenty-two fellows, and thirty-four scholars.

Pembroke College, founded in 1347, by Mary Countess of Pembroke, has a master, sixteen fellows, thirty scholars, with numerous exhibitioners.

Gonville and Caius College was founded, as Gonville Hall, in 1347, by Edmond Gonville. John Caius, the celebrated physician, consolidated this foundation with a new one of his own in 1558. There are twenty-nine fellowships, of which twenty-one are open, the rest limited: two of the fellows must be physicians. There are also forty-two scholarships, four valuable studentships in physic, and eighteen exhibitions. This college is the only one in either university, although both confer degrees in medicine, which has served, in reality, as a nursery for physicians.

Trinity Hall was founded in 1350, by William Bateman, Bishop of Norwich. It has twelve fellowships, usually held by graduates in the civil law, to the study of which this college is more peculiarly appropriated. It has also fifteen scholarships.

Corpus Christi College (also called Benedict, or Bene't) was founded in 1351, by the brethren of two guilds, or corporate societies, in Cambridge. It has twelve fellowships, of which two are appropriated to Norwich school, and two to natives of Norfolk; and numerous scholarships and exhibitions. The buildings of this college (commenced in 1823) are among the most elegant specimens of modern Gothic in either university.

King's College was founded in 1441, by Henry VI., by whom it was connected with his foundation of Eton College. The society consists of a provost and seventy fellows and scholars, elected from the seventy scholars of Eton, by seniority, according to the system detailed under the head of Eton. They become fellows at the expiration of three years from their admission. By special composition with the university, the members of this house (like those of New College, Oxford) are exempt from the university examinations and exercises, and from the authority of the university officers within their own walls. The buildings of King's College are of several dates. The magnificent chapel was begun by Henry VI.: its construction was continued under several reigns; and it was completed, with money bequeathed by Henry VII., in 1515. The grand court adjoining to the chapel has been recently erected in a very sumptuous style; but, although the details of its architecture are mainly taken from those of the chapel, the general effect is strikingly dissimilar.

Queen's College was founded by Margaret of Anjou, in 1446. It has nineteen foundation fellowships, limited in a peculiar manner, one by-fellowship, and numerous scholarships. Its head is styled president.

Catherine Hall was founded in 1473, by Robert Woodlark, provost of King's. It has fourteen fellowships, of which six are on the foundation; and forty-three scholarships.

Jesus College was founded in 1496, by John Alcock, Bishop of Ely. There are sixteen foundation fellowships, open, by a recent statute, to all Her Majesty's subjects. The master and fellows nominate two candidates on a vacancy, of whom the Bishop of Ely (the visitor) appoints one. There are, also, three fellowships of recent foundation; and forty-six scholarships and exhibitions.

Christ's College was founded in 1451, by King Henry VI.; additionally endowed by Margaret Countess of Richmond and Derby, in 1505. There are thirteen clerical and two lay fellowships, partially limited; and more than ninety scholarships and exhibitions.

St. John's College was founded in 1511, by the executors of Margaret Countess of Richmond and Derby, the munificent benefactress of Christ's College. It has thirty-two foundation fellowships, thrown open, by royal letters patent, to all natives of England and Wales; and twenty-one appropriated fellowships of different foundations. The electors are the master and eight senior resident fellows. There are 114 scholarships. This college has been distinguished, for a lengthened

period, for the high mathematical qualifications required from its fellows; and, in this respect, a rivalry, renewed at every university examination, subsists between it and Trinity: but the latter has, of late years, been superior in the classical attainments of its members. The buildings of St. John's have been increased by a large quadrangle on the left bank of the Cam; forming one of the finest collegiate edifices in England.

Magdalen College, begun in 1519, by Edward Stafford Duke of Buckingham, and completed in 1542, by Lord Chancellor Audley, has four foundation and thirteen by-fellowships, with forty-three scholarships.

Trinity College.—This magnificent establishment was founded by Henry VIII., in 1546, on ground which had been occupied by several suppressed colleges and hostels. It has a master and sixty fellows, elected from the scholars, graduates below the degree of M.A.; sixty-nine scholars; and numerous exhibitioners. The fellows (except two) must go into orders on the expiration of seven years from the degree of M.A. The government of the college is vested in the master, who is appointed by the crown, and eight senior fellows. Trinity has acquired the highest distinction among the colleges, at Cambridge for the number, rank, and fortune, of its independent members; and, also, for its high character as a place of education. The acquisition of a fellowship at Trinity may be considered as the first collegiate honour in England, from the select character of the competitors; the scholars being themselves chosen for merit out of the great body of the undergraduates of the college; whilst, out of this distinguished class, a further choice is made on the election of a fellow. The buildings of Trinity are the most extensive belonging to any single college in either university, as the number of its resident undergraduates is by far the greatest. The great quadrangle is the largest at Cambridge, and larger than any at Oxford. Neville's Court is remarkable for the elegant collegiate style of its architecture.

Emanuel College was founded, in 1584, by Sir Walter Mildmay, Chancellor of the Exchequer in the reign of Elizabeth. It was regarded, in the early times of its foundation, as a seminary of puritan opinions. There are twelve original foundation fellowships, and three subsequently added, with numerous scholarships and exhibitions.

Sidney Sussex College was founded in 1598, pursuant to the will of Frances Sidney Countess of Sussex. There are nine foundation fellowships, and three appropriated; twenty foundation scholarships, open to all individuals; and two for scholars from Tiverton school; and sixteen exhibitions.

Downing College was founded in pursuance of the will of Sir George Downing, dated 1717; but the college was not incorporated until 1800. When complete, the society will consist of a master, professors of law and medicine, sixteen fellows (of whom two clerical), and six scholars. All graduates of Oxford and Cambridge are eligible to fellowships. The lay fellowships are tenable only for twelve years.

The number of members on the books at Cambridge, in 1846, was 6,487: of these 3,451 were members of the senate, the remainder

being 3,036. In 1835 the numbers at Oxford and Cambridge were nearly equal; but at present Cambridge has 614 members on its books more than Oxford. This, we have seen, has been occasioned partly by the accommodation for students not being restricted to the college buildings, as in the sister university; but it has partly, also, been owing to other causes. Cambridge has much more than doubled the number of its students since the commencement of the century. Trinity alone has 495 under-graduates, and St. John's 355. We may remark, before dismissing this part of our subject, that a work on English university education, which should describe the changes it has undergone, and its present state, and which should, at the same time, carefully estimate and exhibit its peculiar merits and defects, is a desideratum which, perhaps, is not destined to be very speedily supplied. Dr. Whewell's two treatises on University Education are the best of the existing publications on the subject. They, however, refer more especially to Cambridge; and, though able, discover quite as much of the spirit of a partisan as of that of a philosopher.

It only remains to notice the establishments for the higher branches of education which have arisen of late years in the metropolis, Durham, &c., to which the character of universities can hardly be said, in strictness, to belong, inasmuch as the power of granting degrees has not been conceded to them.

University College (formerly *London University*) was founded by a company of shareholders, with a view partly to pecuniary advantage, and partly to supply general education, combining a more extensive range of subjects than those in which instruction is given at Oxford and Cambridge, to persons of every class of religious opinion. It was opened in October, 1828. It was modelled on the plan of the universities of Scotland and Germany; not being intended to enforce any system of academical residence or discipline; but merely to furnish education by means of public lectures by professors, dependent on fees from their pupils; to institute examinations and prizes for the benefit of such as attended these lectures, &c.

The government of the college is vested in a council, elected by the proprietors, which has power to make regulations, accept endowments, appoint officers, professors, tutors, &c. Instruction is provided in the three faculties of arts, medicine, and law. There are thirty-two professorships, viz.: nine in literature, six in mathematical and physical sciences, three in ethical and political sciences, three in law, eleven in medicine; but some of these are vacant, and some held with other professorships. It has certain scholarships, founded by private endowment. The session of the university commences on the 1st of October for the medical classes, and on the 1st of November for the others. The manner of instruction in the Latin and Greek classes, and those of modern languages, &c., is, in general, catechetical, by daily examination in passages previously studied by the scholar; and by written exercises. In the classes attended by junior students there are frequent examinations; and two regular examinations, on the Cambridge plan, in the course of the year.

Hitherto, this institution has had but little success; the only portions of it which have answered the expectations of the founders, by

furnishing regular collegiate courses of instruction, being the medical, mathematical, and classical departments. The remaining classes, such as those of law, natural science, philosophy, &c., have remained only partially connected with the establishment; being thinly attended, and, in many instances, more numerously by independent auditors, not going through a regular course of education, than by those belonging to the latter class.

Connected with the college is a preparatory school, which is pretty well attended; a library, museum of anatomy, and an hospital.

King's College, London, is situated on ground presented to the foundation by George IV., forming the east wing of Somerset House. The funds for the erection and support of the institution were raised partly by donations and partly by shares. The government is vested in a council consisting of three classes; the visitor (the Archbishop of Canterbury), the perpetual governors by virtue of offices (viz., the Lord Chancellor, Archbishop of York, Bishop of London, and several other high functionaries), the governors for life, and the councillors simply. The establishment is divided into two parts, junior and senior. The junior department consists of the King's College preparatory school: connected with the establishment are various schools in different parts of the country. The senior department is divided into the general school, with sixteen professors in various branches; and the medical school, with nine. The chief difference between the two establishments consists in the fact of there being a divinity professor attached to King's College, which is instituted professedly, although not exclusively, for the instruction of youth according to the tenets of the Church of England.

University of London. Various negociations had been entered into, at different times, between the government and the councils of University College and King's College, relative to the conferring of degrees by the latter. These, however, proved unsuccessful; but, in order to obviate the inconvenience arising from the want of an establishment with power to confer degrees in the metropolis, government established, by charter, dated the 28th of November, 1836, the *London University*. This consists of a senate, who appoint individuals in the various departments of literature and science, whose duty it is to examine all candidates for degrees educated at University College, King's College, and such other institutions as Her Majesty in Council may from time to time choose to specify. On the formation of this new metropolitan university, University College relinquished its former title, which had been from the first a misnomer, and received a charter of incorporation by the name which it now bears.

We are inclined to regard the establishment of the University of London as a very considerable improvement. The entrusting of the examination of candidates for degrees to gentlemen nowise connected with their education, goes far to obviate all chance of improper individuals being graduated because they happen to be educated at certain places, or by certain parties; and is, in this way, of material advantage. It is difficult, however, to see any good reason why those individuals only, who have been educated at certain specified establishments,

should be entitled to appear before the examiners. Provided a person have the necessary information, it is of no importance to the public how he came by it. Make sure, by a searching examination, that candidates are entitled to the distinctions to which they lay claim; but, having done this, it is mere impertinence to inquire how or where they were educated.

The *University of Durham* has been recently founded, chiefly by private endowment from the bishop and wealthy prebendaries of the diocese. The establishment consists of a warden, professors, tutors, readers, and lecturers; its professed object is, the furnishing instruction to students in the north of England, with a view to holy orders.

The same object is sought to be accomplished, on behalf of the poorer class of students in Wales, by the establishment of the College of St. David's at Lampeter.

Mechanics' Institutes.—Exclusive of the instruction at the above-mentioned schools and colleges, considerable exertions have been made within these few years to diffuse instruction among tradesmen, mechanics, &c., in large towns, by the establishment of what have been called Mechanics' Institutes. These are supported partly by contributions, and partly by the subscriptions of the members. Short courses of lectures, illustrated with experiments, are given on the most popular branches of natural philosophy, and occasionally on departments of literature, moral philosophy, political economy, &c. Reading rooms are attached to the greater number of these institutions, which, speaking generally, are well attended. On the whole, we believe these establishments have been productive of considerable advantage. The instruction they supply is, no doubt, very flimsy and superficial. But it notwithstanding serves to expand and inform the minds of the auditors; and is perhaps the most suitable to them. An improvement in the system of school education, by qualifying the members of Mechanics' Institutes the better to appreciate accurate scientific discussions, would be the most likely means by which to improve the lectures given at the institutions in question.

Sect. 2. *Education in Scotland.*

Early History of Literature and Education.—Scotland, in ancient times, was barbarous in the extreme, being destitute alike of any tincture of education and of literature. It is doubtful whether druidism ever extended so far north; and as Scotland was but imperfectly subjugated by the Romans, who speedily withdrew from it, and who do not appear to have founded any colonies to the north of the Tyne, the probability seems to be that she continued in nearly primæval barbarism till the introduction of Christianity, to which she owed the first rudiments of civilization and of learning. The date of this event is not well ascertained; but the more probable opinion seems to be that it was introduced by St. Columba, a native of Ireland, in the 6th century,* when the king and his principal nobles are said to have been

* St. Ninian is said, by some authorities, to have introduced Christianity more than a century before Columba; but no dependance can be placed on the accounts of the former, and but little on those of the latter.

baptized. The saint is reported to have fixed his residence in the small island of Iona, or Icolmkill, on the west coast of Scotland, where the foundations were early laid of that famous monastery or school, whence, to borrow the words of Dr. Johnson, "roving clans and savage barbarians derived the benefits of knowledge and the blessings of religion." But in these rude and unsettled times, the seats of learning and philosophy were not exempted from attack; and after a career of about three centuries, Iona is said to have been rased to the ground by Danish and Norwegian invaders, and its inmates massacred. It recovered, however, from this shock, and new buildings were erected, of which the remains even at this day are pretty extensive; but it never regained its original ascendancy. Numerous monasteries were established in the 12th century; and with them, and under the same roof, were connected seminaries of education, which continued to be, for two or three centuries, the only schools in the kingdom. What literature and science prevailed were confined to the monks, and to those, whether laymen or clergymen, who availed themselves of the instruction which monastic establishments afforded. It was then a common practice among the barons and higher gentry to board their children with the monks that they might be educated by the latter—(*Chalmers's Caledonia*, i. 768, and the learned *Dissertation* prefixed by Dr. Irving to his *Lives of the* Scottish Poets.)

Foreign Universities.—It cannot be said that literature attained to any great eminence under the auspices of the monasteries. The character, too, of these institutions gradually deteriorated; licentiousness and ignorance usurped the place of religion and knowledge; and the interests of education suffered accordingly. In the mean time, Scotland produced many distinguished scholars and authors; but most of them owed their principal acquirements to foreign instructors. So little, indeed, was native science esteemed, that, in 1282, Dervorgilla, daughter of Allan Lord of Galloway, and wife of John Baliol, founded and endowed a college at Oxford for the reception of Scotch students; and, in 1326, a college was founded and endowed at Paris by the bishop of Moray, for a similar purpose. Scotch students also resorted to Salamanca, and other seminaries on the continent. The students of the university of Cambridge were, in 1270, classed by nations; and five English, three Scotch, three Irish, and two Welsh collegians, were invested with a kind of rectorial power, for the maintenance of order among their respective countrymen.—(*Irving's Dissertation.—M'Crie's Life of Knox*, vol. i.)

Scotch Universities.—St. Andrews, the oldest of the Scotch universities, was founded by papal authority in 1413; that of Glasgow, by the same authority, in 1450; that of Aberdeen, also with the sanction of the pope, in 1494, though education did not commence in it till 1500; and that of Edinburgh, the only one established since the Reformation, in 1582. The university of St. Andrew's consisted, at one time, of three colleges, instituted at different periods, St. Salvador's, St. Leonard's, and St. Mary's; but, in 1748, the first two were united, and the buildings of St. Leonard's were alienated and converted into dwelling-houses. The university of Aberdeen consists of two colleges: King's, founded as now stated, in 1494; and Marischal College, founded

and endowed by George Keith, Earl Marischal, in 1593. The universities of Glasgow and Edinburgh contain one college each. None of these colleges or universities can be said to be liberally endowed; and, with the exceptions afterwards to be mentioned, none of them owe any considerable endowment to the Crown. They all originated in the piety or love of learning of individuals, or of public bodies, not in the public spirit of the legislature. In early times the Romish church devoted some means to that purpose; the town council of Edinburgh has expended, from time to time, considerable funds on the university of that city, and a large number of private individuals, at an early period of the history of these seminaries, bequeathed sums for extending the buildings, for the endowment of some particular professorship, or for the general benefit of learning within their walls. St. Andrew's has pretty ample endowments, arising from the original foundation, from lands either given to the university, or purchased by its own accumulated funds, from teinds (tithes), royal grants, the donations of private individuals, &c., insomuch that, taking one class with another, the endowment of each professor averages about 230*l.* a year. The two colleges of Aberdeen possess funds of a nearly equal amount, derived from similar sources. The university of Glasgow is somewhat more richly endowed, there being, at an average, a salary of about 300*l.* a year attached to each chair, exclusive of five *regius* professorships founded by the Crown, the aggregate endowment of which is 400*l.* Edinburgh university is comparatively ill-endowed. Twenty-four professors, including the principal, receive, at an average, about 120*l.* a year each; but while several receive considerably more than than this sum, others receive proportionally less. The professors of Pathology, Chemistry, Materia Medica, Theory of Physic, Practice of Physic, Midwifery, and Clinical Medicine, receive no fixed salaries. A professorship of music has recently (1839) been established in consequence of a bequest to that effect by the late General Reid, with an annual salary of 300*l.* In Glasgow College, two professorships have recently been founded and endowed by the Crown; that of Forensic Medicine in 1839, and that of Civil Engineering in 1840. The principals of the different colleges receive no fees; but the professors, in addition to the endowment attached to some of their chairs, receive the fees of their respective classes, varying from 2*l.* 2*s.* to 4*l.* 4*s.* each student; and on these they, in fact, in most cases, mainly depend. The town council of Edinburgh, who from the first were the patrons of the university of that city, and the Crown, are the only parties authorized to found new professorships in it. If a private party wish to found a chair, either by bequest or otherwise, he must procure the sanction of the town council, which, however, has not hitherto been refused. The first *regius* professorship in Scotland, that is, the first professorship founded and endowed by the Crown, was that of Church History in the university of Edinburgh, in 1695: at present (1846) that university has ten such professorships, six of which enjoy an endowment of 100*l.* a year each: three have more than that sum; and one is unendowed. There are *regius* professorships in the other universities. (*Report of the Royal Com-*

mission of Inquiry into the State of the Universities of Scotland, 1831.)

Bursaries.—Bursaries are endowments for the support of students attending college. Of these some are enjoyed only for a single year, and others for a longer period, generally for four years. Some of them, according to the will of the testators, are in the gift of private individuals; others of public bodies: some of them cannot be given but after a comparative examination of candidates; while in others persons of a particular name, or from a certain district of the country, have a preference. Bursars, also, are not unfrequently required to follow a particular course of education, or must be at a particular stage of their college studies before they can be nominated. The conditions, in short, under which bursaries may be given away, or held, are nearly as numerous as the number of their founders. It is questionable if their influence be generally beneficial. Much of the money left for their foundation has been alienated or misapplied; and instead of the existing bursaries being given to poor but meritorious students, the reverse is as often the case; while many attend college solely because they can command bursaries, and not because they have any desire for learning, or wish to follow any learned profession. Bursaries thus factitiously add to the number of students, without promoting learning, or adding materially to the number of learned men in the country. At King's College, Aberdeen, there are 34 bursaries, held by 134 students, their aggregate value being about 1,800*l.* a year; and giving about one bursary to every *third* student. In Marischal College there are 40 bursaries held by 106 students, being also about a bursary to every *third* student. In the University of St. Andrew's there are 34 bursaries, whose aggregate value is about 1000*l.* a year, divided among 94 students. In Glasgow, bursaries of the aggregate value of 1,287*l.* a year are held by 71 students. In the university of Edinburgh there are 34 foundations for the benefit of 80 students, distributed as follows:—

Number of Bursars in Edinburgh College . .		80
Of which there are—		
Of the annual value of 100*l.* each . . .	3	
,, ,, 30*l.*	6	
,, ,, 20*l.*	10	
Between . . . . 20*l.* and 15*l.* . .	4	
Of the annual value of 15*l.*	1	
Between . . . . 15*l.* and 10*l.* . .	5	
Of the annual value of 10*l.*	6	
Between . . . . 10*l.* and 5*l.* . .	42	
Under . . . . . 5*l.*	3	
		— 80

Classes.—The number of professors in the different universities was originally very small. In the university of Edinburgh, for example, there was at first only one; a second was soon afterwards added; then a third; but there were not above six till nearly a century after its institution; these were, the principal, who was also professor of divinity; four *regents*, or professors of philosophy; and a regent of

humanity, (*literæ humaniores*,) now restricted to Latin. Each of the regents conducted his class for four successive years, including in his course of instruction almost every branch of science and literature; logic, metaphysics, ethics, mathematics, and physics. The college *curriculum*, or course of study, extended to four years under the same professor; at the end of which time the students, if found qualified, graduated as masters of arts; and if they were meant for the church, they placed themselves under the tuition of the professor of divinity. As society advanced, and the desire of knowlege increased, new subjects of instruction were introduced, new chairs established; and the division of labour in teaching was extensively acted upon. These remarks apply, in a greater or less degree, to all the Scotch universities; but as we have no space for lengthened details, it will be sufficient to lay before the reader the following synoptical view of the present state of the classes in these seminaries. We divide the subjects into four departments, viz.—I. Literature and Philosophy; II. Theology; III. Law; and IV. Medicine.

Branches.	Edinburgh. Number of Professors.	Glasgow. Number of Professors.	King's College, Aberdeen. Number of Professors.	Marischal College, Aberdeen. Number of Professors.	St. Andrew's. Number of Professors.
I. *Literature and Philosophy.*					
Humanity	1	1	1	1	1
Greek	1	1	1	1	1
Mathematics	1	1	1	1	1
Logic	1	1	None.	Logic and Moral Philosophy conjoined.	Conjoined with Rhetoric.
Moral Philosophy	1	1	1	. .	1
Natural Philosophy	1	1	1	1	1
Rhetoric and Belles Lettres	1	Combined with Logic.	None.	None.	Conjoined with Logic.
Music	1	None.	None.	None.	None.
Agriculture	1	. .	. .	. .	None.
Universal History	1	. .	. .	. .	. .
Astronomy	1	1	. .	. .	. .
Civil History	None.	None.	None.	None.	1
Civil Engineering	None.	1	None.	None.	None.
II. *Theology.*					
Divinity	1	1	1	1	1
Divinity and Church History	1	1	None.	1	1
Oriental Languages	1	1	1	1	1
Biblical Criticism	None.	None.	None.	None.	1
III. *Law.*					
Civil Law	1	1	1	None.	. .
Law of Scotland	1	None.	None.	Law of Scotland and Conveyancing conjoined.	None.
Conveyancing	1	1	1	. .	. .
IV. *Medicine.*					
Theory of Physic	1	Theory & practice of Physic conjoined.	None.	None.	None.
Practice of Physic	1	. .	. .	. .	. .
Materia Medica and Pharmacy	1	1	. .	. .	. .
Chemistry	1	1	. .	1	1
Surgery	1	1	. .	1	1
Anatomy and Physiology	1	1	. .	1	1
Military Surgery	1	None.	. .	. .	. .
Pathology	1	. .	. .	. .	. .
Midwifery	1	1	. .	. .	. .
Clinical Medicine	1	None.	. .	. .	. .
Clinical Surgery	1	. .	. .	. .	. .
Botany	1	1	. .	. .	. .
Natural History	1	1	. .	Conjoined with Civil History.	. .
Medical Jurisprudence	1	None.	Only 1 Professor of Medicine.	Only 1 Professor of Medicine.	None.
Forensic Medicine	None.	1	None.	None.	None.

Lectureships.—The King's and Marischal Colleges, Aberdeen, have united in establishing lectureships, (not professorships,) on the following subjects, viz., anatomy and physiology, surgery, materia medica, institutes of medicine, medical jurisprudence, botany, midwifery, agriculture. These subjects are taught under the auspices of the two colleges, but the lecturers (unless they are also professors) are not members of the *Senatus Academicus;* a body composed solely of the professors. Marischal College has established two similar lectureships; but though the lecturers are not members of the *Senatus*, we have included them in the list of professors. There is a lectureship in the college of Glasgow on the structure, functions, and diseases of the eye. There are no lectureships in the universities of St. Andrew's or Edinburgh.

Constitution of the different Universities. The principal and professors of the different colleges and universities form, when met in council, the *Senatus Academicus* of each. The *Senatus* has the privilege of conferring degrees, and of determining the academical *curriculum*, or course of study necessary to qualify for degrees. There are two other functionaries, but those entirely of a civil nature, connected with these seminaries, the Chancellor and Lord Rector. The former is merely a nominal officer; but his duties, when they did exist, were of a visitorial nature; he also had the honour of presiding in the councils of the university. He is chosen by the *Senatus;* and holds office for life. The rector is, in point of dignity, subordinate to the chancellor: his powers, however, have not, like those of the latter, fallen into abeyance; but, on the contrary, are often called into exercise. He is the guardian of the statutes, privileges, and discipline of the university; and has the superintendence of all matters connected with its civil affairs. He is, also, the judge ordinary, and, with the advice of assessors, generally chosen from the professors of theology and law, hears and determines causes. The Rector is elected by the students, who are divided into four classes or sections, each section choosing a delegate. In case of an equality of votes, the former rector decides the preference. He is elected only for a year, but is generally continued in office for two or three years. The university of Edinburgh forms, in some respects, an exception as to these matters. It has no chancellor, and the Lord Provost of the city is Lord Rector *ex officio.* The magistrates, whose predecessors may be regarded as the founders of the university, and who have been at all times its guardians, have power to institute new professorships, and to alter the academical curriculum. The Crown also assumes the right of instituting new professorships. The principal is officially at the head of the *Senatus*, and presides at its meetings. He formerly visited the different classes, examined the students as to their proficiency, and saw that the professors did their duty. But these duties have long been either almost or altogether laid aside. In St. Mary's College, St. Andrew's, and in the university of Edinburgh, the principal must be a clergyman, because in the former, the principal lectures on Systematic Theology, and in the latter, he is officially first professor of divinity, though in this latter capacity no duties now devolve on him. In the other colleges, the principal may be a layman, though this

is seldom the case. When he is a clergyman, he may hold a professorship, or a living in the church; and this, indeed, is generally the case. Robertson, the most illustrious by far of the principals of the Scotch universities, was one of the clergymen of the High Church, Edinburgh.

The following table (exclusive of the lectureships, already referred to) specifies the number of chancellors, rectors, principals, and professors in the Scotch Universities, with the dates respectively of the foundation of these seminaries:—

	When founded.	Chancellors.	Rectors.	Principals.	Professors.
St. Andrews	1413	1	1	2	13
Glasgow	1450	1	1	1	21
Aberdeen, King's College .	1494	1	1	1	9
,, Marischal College	1593	1	1	1	13
Edinburgh	1582	None.	1	1	31

Number of Students.—The number of students who attend the Scotch universities is less now than it was 25 and 30 years ago; a result that cannot, however, justly be attributed to any decay of learning or to a deterioration of these institutions in the interval. On the termination of the war in 1815, the outlet which had previously existed for young men in the army and navy being all but shut, many of them resorted to the learned professions, making a corresponding addition to the number of students. In consequence these professions were completely overstocked in the course of a few years; and having ceased to afford anything like a respectable subsistence to the majority of their cultivators, the motives to enter them, and to become students, declined accordingly. The heavy expense of a college education, may, also, have contributed to the decrease of students. Not only are the class fees the same as during the war, though the price of everything else has fallen, but the course of medical study has been greatly enlarged, partly by the addition of classes not formerly reckoned essential, and partly by extending the time of study to at least four years. In addition the institution of colleges in London, and in Durham, tended to withdraw students from those in Scotland; which tendency has been further promoted by the erection of medical schools in Liverpool, Manchester, and other large towns. It is to these causes, and we believe, also, to a growing sense of the inefficiency of the universities as places of instruction, that the reduction in the number of students must be attributed. The aggregate number of students in the Scotch universities is, at present (1846), about 3,000; of which Edinburgh has 1,109, or, including divinity students, about 1,200; of the remainder, Glasgow has above two-thirds. The attendance at St. Andrew's and Aberdeen, particularly the former, is comparatively small.

The following table shows the number of students that annually matriculated in the university of Edinburgh from 1791-2 to 1846:—

Years.	Students.	Years.	Students.	Years.	Students.
1791—1792	1,279	1825—1826	2,134	1834—1835	1,662
1799—1800	1,330	1826—1827	2,141	1835—1836	1,580
1809—1810	1,980	1827—1828	2,102	1836—1837	1,504
1815—1816	2,097	1828—1829	2,161	1837—1838	1,459
1820—1821	2,116	1829—1830	2,099	1841—1842	1,157
1821—1822	2,181	1830—1831	2,023	1842—1843	948*
1822—1823	2,344	1831—1832	1,923	1843—1844	961
1823—1824	2,273	1832—1833	1,908	1844—1845	1,000
1824—1825	2,198	1833—1834	1,754	1845—1846	1,109

This list contains the whole number matriculated during both the winter and summer sessions, including the theological students, whether regular or partial in their attendance, down to 1841-42. The greatest number of students was in 1822-3, when they amounted to 2,344. Since that time, the number has been almost regularly diminishing; the total falling off in 1845-46, as compared with 1822-23 (excluding divinity students), amounts to 962.

The following table shows the proportion in which the decrease has taken place in the different faculties.

Years.	Literature and Philosophy.	Medicine.	Law.	Divinity.
1822—1823	930	867	274	273
1823—1824	907	870	260	252
1824—1825	939	777	238	249
1825—1826	822	891	298	223
1826—1827	761	858	286	236
1827—1828	738	807	335	222
1828—1829	745	859	301	256
1829—1830	716	896	277	210
1830—1831	676	840	292	215
1831—1832	650	810	273	190
1832—1833	627	824	273	184
1833—1834	602	718	241	193
1834—1835	529	703	240	190
1835—1836	511	679	217	173
1836—1837	517	625	191	171
1837—1838	493	605	176	185
1841—1842	459	380	162	156
1842—1843	442	373	133	..*
1843—1844	453	355	153	..
1844—1845	482	370	148	..
1845—1846	627	340	142	..
Decrease since 1822—1823	303	527	132	..

* Since the disruption, or the formation of the Free Church in 1843, the number of divinity students has greatly decreased. though again on the advance; but we have no information of their exact numbers. The aggregate number of students since 1842-3, given above, is exclusive of divinity students. The Free Church is at this moment (1846) occupied in the erection of a college, on a large scale, in Edinburgh.

Number of Graduates in Medicine.—The first attempt to have the different branches of medicine regularly taught in the university of Edinburgh, was made in 1720, soon after which, five professors in the medical faculty were appointed; and that number has been gradually augmented till the present time. Reckoning from 1726 to 1826, the total number of graduates amounted to 3,070, or to an average of 30 *per annum*. But for the last twenty years the average is rather above 100 a year.

Years.	Number of Graduates.	Years.	Number of Graduates.	Years.	Number of Graduates.
1815	82	1830	107	1839	119
1817	92	1832	112	1841	103
1820	121	1833	110	1844	66
1826	119	1835	117	1845	79
1827	160	1837	105	1846	64
1828	93	1838	98		

College Discipline.—At an early period of their history the students attending the universities were required to lodge within their walls, but this is no longer the case. They now reside wherever they find it convenient: it is enough that they attend (and even this is sometimes dispensed with) the classes which they have entered; and observe becoming behaviour in their class-rooms, and within the precincts of the university. The superintendence of their respective professors, and of the *Senatus*, does not extend farther; and they are not required to use any distinguishing academical dress, except in certain classes, in the university of Glasgow. Admittance to college is not connected with any religious test, nor are there any religious exclusions. All sects enjoy the same privileges, whether Jew or Christian, catholic or protestant, episcopalian or presbyterian. The professors, however, are required to be presbyterians, and to subscribe the Confession of Faith, and the standards of the established church; but this condition is sometimes overlooked; and, most probably, will be speedily abolished. The session lasts between five and six months, beginning in some of the universities in October, in others early in November; and terminating in the end of the ensuing month of April. There are in some colleges summer classes, which last only three months, or from the beginning of May till the end of July. Each student must enrol his name in the *College Album*, and pay 1*l.* for a matriculation ticket, whether he attend one class only or any greater number.

The system of teaching in the Scotch universities, though somewhat improved of late years, is exceedingly defective. Except in the Greek, Latin, and mathematical classes, and a few others, it is mostly carried on by lectures, unaccompanied by questions or examinations of any kind, in which the professor is generally quite as anxious to display his own attainments as to instruct his pupils. It is not, however, going too far to say that formal harangues of this sort are about the least efficient of all the modes in which information can be conveyed to the student. Even when compiled in the clearest and delivered in the most appropriate manner, the instruction embodied in a lecture is

apt to escape the hearers or to be misapprehended by them. The student has no time for reflection; and if he happen to withdraw his attention for a moment, or, to lose the thread of the argument, the chances are he will derive but little benefit from what may follow. Even the ablest lectures, if unaccompanied by discussions, explanations, and examinations, are frequently good for nothing as means for the communication of information. The lectures of the late Dr. Thomas Brown, which are published exactly as they were delivered, may be referred to in illustration of this statement. They are both ingenious and refined; but, owing partly to the difficulty of the subjects and partly to the want of clearness and precision in the style, they are not easily or readily followed even by experienced readers; and were totally unintelligible to nine-tenths of the youths to whom they were originally addressed by their author. A good deal has been said about the expediency of university reform in England; but we apprehend that those who inquire into the matter will find that it is still more called for in Scotland.

A Royal Commission was appointed in 1826, to visit the universities and colleges of Scotland. It took evidence in regard to the mode in which they were conducted, the system of instruction in them, their property, the appointment of professors, &c., and gave in a voluminous, if not a very able or satisfactory, report on these subjects in 1830. Nothing, however, has been done to further the recommendations contained in that report, except that a bill, founded on them, was introduced into Parliament in 1836. Its leading provision was the appointment of a general board of visitors over the several universities, and of specific boards for each of these institutions; these visitors to have power to reform the course of study, to abolish old professorships and to institute new ones, &c. It may be mentioned that a similar board of visitors was appointed for the Scotch universities in 1690; and that the rules and regulations that have obtained in them, from that period to the present day, are substantially those determined and enacted by that board. Another Royal Commission was appointed in 1837 for making farther inquiry into the state of the University of St. Andrews; but though it made an elaborate report, chiefly on the unseemly squabbles by which it has been agitated, no measure has been founded on it.

Parochial Schools.

History.—We have previously seen that monasteries contained at one time the only seminaries of education in Scotland; and when schools existed in the larger burghs at that early period, they were under the patronage of some religious house. Long prior to the Reformation there seem to have been such schools, where Latin was taught, and others for affording instruction in the vernacular tongue. As early, indeed, as 1494, the subject attracted the attention of the Scotch parliament; it being then enacted that "all barrones and freehalders that are of substance, put their eldest sonnes and aires to the schules, fra thay be six or seven years of age, and to remaine at the grammar schules quhill they be competentlie founded, and have perfite Latin; and thereafter to remaine three years at the schule of

art and jure [law], swa [so] that they have understanding of the lawes."—(*Acts of the Scotch Parliament*, 1494, c. 54.) These grammar schools, however, were generally attached to some religious establishment, and were subject to the church, and considered as part of the ecclesiastical establishment.—(*Dunlop's Parochial Law*, § *Schools.*)

After the Reformation, the establishment and maintenance of schools became an object of anxious attention on the part of the protestant clergy. In the First Book of Discipline, compiled in 1560, it is recommended that every parish where there is a town of any reputation, shall have a schoolmaster, "able to teach the grammar and Latin tongue;" and that in landward parishes the minister "take care of the youth of the parish to instruct them in the rudiments, particularly in the catechism of Geneva." The Church deserves credit for never having lost sight of this object: many acts of the General Assembly were passed on the subject; and when applying for the restitution of the church property, the endowment of schools was not forgotten by the ecclesiastical courts.—(*Buik of the Universal Kirk.—Dunlop, ut supra.*) But though the clergy used all their influence to induce the government to co-operate with them in carrying their views into effect, the latter did not interfere effectually till 1616. In that year the Privy Council enacted, "that in every parish of this kingdom, where convenient means may be had for entertaining a school, a school shall be established, and a fit person appointed to teach the same upon the expense of the parishioners, according to the quality and quantity of the parish." Episcopacy then predominated; and this act was directed to be carried into effect "at the sight and by the advice of the bishop of the diocese in his visitations." In 1633 the act of Council was ratified in Parliament.—(c. 5.) This, which was the first legislative enactment authorising the establishment of parish schools, provided also for their endowment. The bishops of the several dioceses were empowered, with the consent of the landholders, and the majority of parishioners, and if the former refused, with the consent of the latter alone, "to set down and stent upon every plough and husband-land, according to its worth, for the maintenance and establishing of the said school."—(*Dunlop, ut supra.*)

During the civil wars another Act was passed (1646, c. 46), which, though rescinded at the Restoration, was adopted almost *verbatim* in the celebrated statute of William and Mary in 1696, the foundation of the present parochial system. This latter statute is as follows. The estates of parliament "considering how prejudicial the want of schools in many congregations hath been, and how beneficial the providing thereof will be to the kirk and kingdom, do therefore statute and ordain that there be a school founded, and a schoolmaster appointed, in every parish (not already provided), by advice of the presbyteries; and to this purpose, that the heritors (landholders) do in every congregation meet among themselves, and provide a commodious house for a school, and modify (fix) a stipend to the schoolmaster, which shall not be under 100 merks (5*l.* 11*s.* 1⅓*d.*) nor above 200 merks (11*l.* 2*s.* 2⅔*d.*), to be paid yearly at two terms," &c. The land was burdened with the payment of this stipend according to

valuation. And on the failure of the heritors to carry into effect the provisions of this law, the several presbyteries were authorised "to nominate 12 honest men within the bounds, who shall have power to establish a school, modify (fix) a stipend for the schoolmaster, and set down a stent tax for the heritors, which shall be as valid as if done by themselves."—(*Acts of the Scotch Parliament; Dunlop.*)

The provisions of this statute were immediately carried into effect in most parishes, though in others not till a comparatively recent date. In some parishes, situated in remote parts of the country, the statute was a dead letter till within the last few years. But it may now be said that, with extremely few exceptions, every parish is provided with one or more schools, with the legal salary attached to them.

Salary of Schoolmasters.—The stipend or salary of schoolmasters continued as fixed by the statute of William and Mary, 1696, till 1803, when it was enacted (43 Geo. III. c. 54), "that from and after the term of Martinmas next, the salary of each parochial schoolmaster, in every parish in Scotland, shall not be under the sum of 300 merks Scots (16*l.* 13*s.* 4*d.*) *per annum*, nor above the sum of 400 merks (22*l.* 4*s.* 5⅓*d.*), except in the cases hereinafter mentioned." These exceptions are thus explained:—"That in case of those parishes which consist of districts, detached from each other by the sea, or arms of the sea, or of one or two islands, or where it is otherwise of great extent or population, so that one parochial school cannot be of any effectual benefit to the whole inhabitants of such parishes, it shall be competent to the heritors and minister, if they shall see cause, on fixing a salary of 600 merks, or the value of three chalders of oatmeal, to divide the same among two or more teachers, according to the extent and population of the parish," the mode in which these proportions shall be applied being fixed by the statute. But in cases where the heritors have to pay a higher salary, they are exempted from the obligation of providing school-houses, dwelling-houses, and gardens, for the teachers among whom this higher salary is to be divided. To the other teachers, with the salary above specified, the heritors have to provide, "a commodious house for a school," a dwelling-house, "not to consist of *more* (it is presumed that *less* was meant) than two apartments, including the kitchen," together with ground for a garden, which shall contain, at least, a quarter of a Scotch acre. This garden is to be inclosed; but in lieu of the garden, it is competent to make an addition to the salary of the teacher, at the rate of eight bolls of oatmeal per acre; the value of this allowance to be determined by the fiar prices of the year. The salary cannot be diminished; but provision is made for its being augmented at the end of every 25 years from the passing of the Act. This augmentation proceeds on the following principle. At the date of the passing of the Act, the chalder of oatmeal was estimated at 200 merks. At the end of each 25 years, the value of the chalder is to be determined by the fiar prices throughout the different counties of Scotland; and according as that value is higher than 200 merks, the salaries of the schoolmasters are to be proportionally augmented. In 1828, the end of the first 25 years, the salary of each parochial schoolmaster, agreeably to this principle, was raised upwards of a third; the *maximum* in a parish where there is only one endowed school, being

34*l.* 4*s.* 4⅛*d.*; the *minimum*, 25*l.* 13*s.* 3⅛*d.* At the end of another period of 25 years, another augmentation may take place; but, whatever be the price of grain, the salary cannot be lower than the sum already fixed.—(43 Geo. III. c. 54.—*Dunlop.*)

Number of Schools.—From the provisions of the Act of the 43 Geo. III., as stated above, it appears that certain parishes may have one or more endowed schools; and such is the case. There are 916 separate parishes in Scotland, exclusive of the *quoad sacra* parishes; and the total number of schools, endowed by the Act in question, amount to 1,162; so that there are 146 secondary or *side* schools endowed. Generally, there is but one secondary school in a parish, but sometimes more. The average endowment of these 1,162 schools is 25*l.* 10*s.*, making the aggregate salaries, 29,642*l.*—(*House of Commons Papers*, vol. vii., 1837. *Report relative to the Fund for the Relief of the Widows and Children of Burgh and Parochial Schoolmasters in Scotland for* 1835, p. 120.) This endowment, including all Scotland, amounts to about 15*s.* per 100*l.* of the valued rental. But this does not include the newly endowed parliamentary parishes in the Highlands, 41 in number.

Branches of Education.—The landlords (heritors) and ministers of parishes determine the branches which a schoolmaster must be competent to teach. These, of course, vary somewhat in different parishes. In burghs, there is often a separate school for classics, or for classics and French. But taking the parochial schools in general, the branches taught are very numerous, comprising Latin, Greek, French, arithmetic, elementary mathematics, geography, book-keeping, and the more elementary departments of an English education. In some instances, Greek, French, and mathematics are omitted. In *side* schools, however, the classics are seldom required as a necessary qualification on the part of candidates for the office of master. The law makes no provision for the payment of assistant teachers; if an assistant be employed, he is paid by the person employing him. Most of the teachers have received a university education. In the three counties, for example, of Aberdeen, Banff, and Moray, out of 137 teachers, there are only 20 who have not studied at college.—(*Report, ut suprà.*)

Induction of Schoolmasters.—When a parish school becomes vacant, a person to supply the vacancy should be elected within four months from the date of the vacancy. The right of election is vested in the landlords and minister of each parish; but if they delay or neglect to nominate an individual within the time specified, the appointment is transferred to the commissioners of supply for the county. But the nominee, whether of the one party or the other, is not really schoolmaster till his nomination be confirmed by the presbytery, by whom he is examined, and by whom, if he be found disqualified, or if his moral character be deemed objectionable, the election may be set aside. The decision of the presbytery is final in all matters respecting schoolmasters; unless when a civil question arises, which may be carried by the teacher before the court of session. All parochial schoolmasters must be members of the establishment, and are required, on their induction, to subscribe the confession of faith, and the standards of the church. Committees of presbytery visit once a year and examine the

various schools within their limits; they should also report, annually, on the state of schools to the General Assembly; but this is not generally done; and the examinations are, for the most part, exceedingly defective, being, in truth, little better than quackish advertisements in recommendation of the masters. The subjecting of the parochial schools to the inspection of impartial and properly qualified officers, who should report their condition to Government, would be a great improvement.

Burgh Schools.—The provisions of the 43 Geo. III., c. 54, do not extend to the case of "a parish which consists only of a burgh, or a part of a royal burgh." Schools were, in fact, established in most royal burghs, and endowed by the magistrates, long prior to the establishment of parish schools. The election of schoolmasters for royal burghs is vested in the magistrates; the authority and superintendence of the church not being recognised in their case. In some burghs the endowment of the school is derived partly from the heritors, and partly from the magistrates; but, even in this case, the latter possess the right to nominate the master, and exercise full control over him, independent either of the presbytery or heritors. —(*Dunlop*, § *Burgh Schools.*) The aggregate number of 1,162 schools, given above, includes burgh schools.

School Fees, &c.—The heritors and minister not only determine the branches of education which a schoolmaster shall teach, but they also fix the amount of fees to be paid by the scholars. The schoolmaster is farther bound to teach gratuitously "such poor children of the parish as shall be recommended by the heritors and minister, at any parochial meeting."—(*Dunlop.*) In the three counties of Aberdeen, Banff, and Moray, out of 7,674 scholars, 767, or a tenth of the whole, were taught gratuitously; but this, we incline to think, is above the average of the kingdom. The fees are, in general, exceedingly low; being sometimes only 1*s.* per quarter for English. In the burghs, they are about 5*s.* per quarter for English, writing, and arithmetic; and 7*s.* 6*d.* for the learned and foreign languages. The following list shows the ordinary amount of fees for different branches, in the three counties now mentioned; and we believe that, with little variation, it may be applied to all parochial schools in Scotland: it is, perhaps, rather above than below the average:—

Branches.	Fees per Quarter.					
		s.	*d.*		*s.*	*d.*
English reading	from	1	6	to	2	6
English, with penmanship	,,	2	0	,,	3	6
English, penmanship, and arithmetic . .	,,	2	6	,,	4	0
Mathematics	,,	3	0	,,	10	6
Latin	,,	2	0	,,	7	6
Latin and Greek	,,	5	0	,,	10	6
French	,,	5	0	,,	10	6

Geography and English grammar are sometimes taught, conjointly with English, without any additional fees: at other times, an additional charge is made. Courses of book-keeping, navigation, or mensuration, are generally charged separately, being from 10*s.* 6*d.* to 21*s.* each course.—(*Report of the Trustees of Dick's Bequest.*)

The following table shows the numbers (in the counties of Aberdeen, Banff, and Moray) that were recently found studying different branches of education, out of a total number of 7,674 scholars. The propor-

tions it exhibits may be regarded as applicable to most parochial schools of Scotland.—(*Report of Trustees, &c.*)

Branches.	Number of Scholars.	Branches.	Number of Scholars.
English . . .	7,400	Geography . .	175
Writing . . .	4,105	Latin . . .	433
Arithmetic . .	2,422	Greek . . .	36
Mathematics. .	122	French . . .	2

We have previously stated that the average fixed salary of parochial teachers may be about 25*l.* 10*s.*; and as the school fees produce somewhat less, their annual income may be taken at about 48*l.*, exclusive of house and garden. In the majority of parishes, however, they have slight additional emoluments, arising from their being session clerks, inspectors of poor, and, in some instances, precentors. They also have small perquisites for making up militia lists, enrolments under the Reform Act, &c. But, including all sources of emolument, we shall, perhaps, be beyond the mark if we estimate their average incomes at from 60*l.* to 65*l.* a year. In some parishes, perhaps about 100, money has been placed in *mortmain*, or bequeathed by benevolent individuals for the better endowment of parish schools, in addition to the legal salary. The revenue arising from this source, which is often very trifling—not exceeding 1*l.* or 2*l.* a year, though sometimes more considerable—is not included in the foregoing estimate.

Society for Propagating Christian Knowledge.

But parish schools—admirable though they be as far as they extend—are too few and too thinly scattered to embrace the children of the entire community. This deficiency seems to have been felt even at a time when the population of Scotland was only about half what it now is; and means were adopted to supply it. So early, indeed, as the year 1701, a few private individuals in Edinburgh formed themselves into an association now well known under the title of "The Society in Scotland for propagating Christian Knowledge;" the object of which was, by means of schools, to disseminate religious instruction, and thus to promote moral improvement. The General Assembly lent their countenance to the plan by issuing proposals (in 1707), with the view of forwarding the objects for which the society was instituted. In 1709, it obtained the patronage of Queen Anne, who granted letters patent under the Great Seal of Scotland for erecting the subscribers into a corporation. The grand object of the society, as described in the patent, was, as it still is, "the promoting of Christian knowledge, and the increase of piety and virtue within Scotland, especially in the Highlands, islands, and remote corners thereof, where error, idolatry, superstition, and ignorance do mostly abound, *by reason of the largeness of the parishes and the scarcity of schools.*" The schools instituted and supported by this society are of two kinds. Those on the first patent (granted by Queen Anne) are exclusively for literary and religious education: those on the second patent (granted by George I.)

are chiefly schools of industry for the instruction, particularly of female children, in spinning, knitting, sewing, &c.; but where the ordinary branches of education are also taught, when there is no other school in the neighbourhood. The second patent schools are taught solely by females. The society has also under its employment catechists and missionaries, which last are ordained clergymen of the established church. The duty of the catechists is to go from house to house, in a given district, to read and expound the Scriptures to the different families, and to catechise or examine them. The society has accumulated a capital of about 100,000*l.*,—the result of donations, annual contributions, and legacies. The capital is vested in land, mortages, and government funds. They have an annual sermon preached in Edinburgh, when a collection is made for behoof of the funds. All these sermons have been published, and have appended to them the reports of the society. The following table shows the extent of their operations, which have regularly been increasing, in 1844.—(*Report for* 1844, *by John Tawse, Esq. Advocate.*)

Number of Schools, &c.	Average Number of Scholars in each.	Total Number.	Average Salaries.	Total annual Amount of Salaries.
			£. s. d.	£. s. d.
150 Schools on first patent .	66½	10,979	15 14 4¾	2,358 0 0
102 Schools on second patent	22½	2,512	5 1 11½	521 0 0
37 Superannuated teachers on first patent . .	..	500	11 15 8	439 0 0
18 Ditto on second ditto .	..	..	5 2 2	82 0 0
11 Missionaries	..	..	45 18 2	505 0 0
39 Catechists	..	..	8 10 9	333 0 0
359	..	13,991	. .	4,238 0 0

All the society's teachers, male and female, receive fees from their scholars. All the teachers on the first patent have a house, garden, and pasture for a cow,—accommodations generally, if not always, contributed by the landholders of the place in which the school is placed; indeed, as a condition of its being so placed. The landholders, it may be remarked, have been always liberal on this point, and in every other respect as regards this excellent society. Its operations may be said to be confined exclusively to the Highlands and islands: at least, of 357 functionaries, only six teachers and one missionary are stationed south of the Forth and Clyde. When the society was instituted, neither the Bible nor any religious book had been translated into the Gaelic language; they have supplied this defect. They have had the Scriptures translated into that language, and a great variety of religious works, either wholly or partially at their own expense. All the teachers are obliged to teach Sunday schools.

The General Assembly's Education Committee.

But, notwithstanding all that the Society for propagating Christian Knowledge had done, the state of education in the Highlands and

islands, was found to be very defective. In 1824, the General Assembly appointed a committee to inquire into the existing state of education and religious knowledge throughout Scotland. This committee ascertained that, in the south and east parts of the country, the number of schools was ample, and that scarcely an individual could be found who had not been taught to read. The result of their inquiries as to the rest of Scotland was far from being so favourable. They found that, in the north-west parts, about 10,500 children, under 15 years of age, were destitute of the means of education, and that 250 additional schools were necessary: and they afterwards ascertained that the total number of persons of both sexes, of six years of age and upwards, in all the parishes of the Highlands and islands, unable to read either in the English or Gaelic language, amounted to 83,397. Nor was the state of education in the Lowlands, particularly in cities, so favourable as the committee at first was led to believe. In five parishes in Glasgow, for example, it was proved that there were no fewer than 1,432 persons of both sexes, of 15 years of age and upwards, unable to read.

The General Assembly's Committee has been annually continued; and has now, indeed, become a permanent body. By means of subscriptions, donations, church collections, and bequests, they have accumulated a capital stock of 10,240*l.*, and their annual expenditure is between 2,000*l.* and 3,000*l.* They have 187 schools in operation, which is about double the number that existed ten years ago; and they contemplate a speedy extension of the number. A Sunday evening school for giving instruction in religion is attached, as part of the system, to each of these seminaries. To teachers who can teach the higher branches, such as Latin, mathematics, &c., they give a salary of 25*l.*; to those professing to teach only the ordinary elementary branches, 20*l.* The teacher is, besides, supplied with a school and dwelling-house, a garden, fuel, and a small patch of land; accommodations either provided by the heritors, or by the people immediately interested, on the principle adopted by the Society for propagating Christian Knowledge. The teachers are allowed to charge fees, to the same amount as are levied at the parish school: but in many instances no fees can be obtained, owing to the poverty of the people: in others, reduced fees are taken; and when full or partial fees are paid, it is not always in money, but sometimes in some sort of produce, and sometimes by work done on the garden or land of the teacher. It is ascertained that the total amount of fees does not exceed 5*l.* per annum for each teacher. There are libraries attached to the schools, the books being issued for the benefit of the scholars, and of those who attend the Sunday evening schools.

From returns made from 82 of the schools, the results are as follows:—

Number of Schools.	Total Number of Scholars.	Number of Scholars paying no Fees.	Number paying equivalents.	Number paying less than 5*l.* a year.	Number who pay more than 5*l.*
82	6,806	1,650	1,610	3,137	409

The following tables give a view of the comparative state of these

schools, and of the different branches of education taught at them, in 1837 and 1845, respectively:—

Total Number of Schools.	Total Number of Scholars.	Numbers learning.							
		Gaelic.	English.	Writing.	Arithmetic.	Book-keeping.	Geography.	Mathematics.	Latin.
1837.									
89	7,366	2,047	5,930	3,178	3,002	115	343	61	85
1845.									
187	11,181	1,354	9,169	4,544	2,912	239	2,067	153	139

It thus appears that, while within 1837 and 1845, the number of pupils has increased upwards of a third, the proportion learning Gaelic has decreased a half; and that English, Geography, Mathematics and Latin have made a striking advance. Education has assumed a more healthy state; and the Erse of the Highlander is gradually giving way to the English.

Normal Schools.—There are two Normal Schools, one in Edinburgh, and the other in Glasgow, established and supported partly by a government grant, and partly by the General Assembly of the established church. The Edinburgh school was attended in 1845-6 by 84 teachers, pupils in the art of tuition, and by 500 children: the Glasgow seminary by 17 teachers, and by upwards of 500 children. Both institutions are in the greatest state of efficiency, and promise to be productive of extensive and lasting advantage to the education of Scotland.

Schools belonging to the Secession Church.

The Secession Church has, like the Establishment, taken much interest in the cause of education. A considerable number of congregations have schools, established by themselves, for the education of the children of their own members, though open to others. Congregations, in many instances also, have schools for the benefit of the poor. The number of schools, both in cities and in the country, thus owing their origin to the Secession Church, cannot be accurately estimated, but are very considerable, probably exceeding 100. Most other bodies of Christians, particularly the presbyterian dissenters, have distinguished themselves by their zeal in establishing schools.

In some of the schools maintained by the Secession, children of their own persuasion are educated either gratuitously or at a reduced rate. These schools are on a very large scale in large cities—Edinburgh for example—and form models of good tuition. Various schools are also instituted in towns by the Secession Church, for the education of the destitute poor not connected with them; and the subscription schools throughout the country are liberally supported by dissenters. In addition to all this, the dissenting ministers have (generally speaking), throughout their communion, schools which meet once or twice a week for religious instruction. The number of *Sunday schools* in Scotland is about 600, of which two thirds belong to dissenters.*

* The Free Church is making great efforts to have a school connected with each congregation. A good many such schools are in operation, and more are

Private or Voluntary Schools.

Under this designation we include all schools not comprehended under the previous heads of Parish Schools, or Schools of the Society for propagating Christian Knowledge, the General Assembly's Education Committee, and the Secession. We have no very accurate data for ascertaining the number of these voluntary schools; but it is supposed that they are to the established schools nearly as 4 to 1, or about 4,000 to 1,162, making in all about 5,150 schools; and supposing they are attended, at an average, by 50 pupils each, we shall have an aggregate attendance of 225,000; and adding to this number for female seminaries, for private boarding schools for boys, &c., and for children taught in private families by governesses and tutors, we may safely estimate that about a *tenth part* of the population are being educated.

We have already noticed that several of the parish schools, in addition to the legal salary, have been endowed, to a greater or less extent, by the benevolence of private individuals. Some of these schools have been so munificently endowed, that education, as a condition of the grant, is free either to the whole or to a large part of the population of the parish. The late James Dick, Esq., of London, bequeathed to the parochial schoolmasters (not in burghs) of the counties of Aberdeen, Banff, and Moray, such a sum as yields 25*l.* a-year to each, in addition to his other emoluments.* The late Dr. Bell, whose name is so honourably connected with the history of education, either gave during his lifetime, or bequeathed, munificent sums for founding and endowing seminaries at St. Andrew's, Leith, Cupar-Fife, and Edinburgh. There is a species of schools established within the last 30 years, called academies, in the larger burghs, such as Edinburgh, Inverness, Tain, Montrose, Cupar-Fife, Dundee, Perth, Dumfries, Ayr, &c. They are either under the direct patronage of the subscribers by whom they have been founded, or of the magistrates. These academies and the ancient burgh schools, such as the High School of Edinburgh, are, perhaps, the best seminaries in Scotland, embracing all the necessary and ornamental branches of education, each taught by a separate master.

Mechanics' Institutions.—There are Mechanics' Institutions, or voluntary associations for giving instruction, by means of lectures, on scientific and philosophical subjects, established in Edinburgh and Glasgow, and in all the larger towns and burghs throughout Scotland.

Sect. 3.—*Education in Ireland.*

The state of public education in Ireland has been the subject of frequent parliamentary investigation. In 1807, a commission of inquiry was issued to several individuals in Ireland, of high literary character, who submitted the results of their investigation in a series

being erected; but neither the exact number nor character of these seminaries can yet be stated.

* The Report to the Trustees of this Bequest in 1835, so often referred to, is an able paper; and reflects credit on the ability and sagacity of the secretary, by whom it was drawn up.

of fourteen reports, ending in 1814, which contain much accurate and well-digested information, followed up by enlarged views of the means of removing defects and abuses, and of promoting an improved education. But their recommendations having been only partially acted upon, the increasing importance of the subject led to the formation of a new board in 1824 under the name of Commissioners of Education, whose attention, though generally directed to the same objects as those of the previous commission, was more peculiarly turned to the state of education, both public and private, among the working classes. A third commission was issued to the same effect, in 1833, to a board called the Commissioners of Public Instruction. The reports of these Commissioners, and those of other public bodies, to whom the management of particular departments of education had been delegated from time to time, with the reports of the numerous voluntary associations for the same purpose, supply much authentic information, which, however, it is difficult to extract from the voluminous and irrelevant matter in which it is buried. It is remarkable that an inquiry into the state of Trinity College, Dublin, which draws so large an income from public grants, and from its teaching the higher departments of science and literature to the sons of the nobility and gentry, formed no part of the investigations, nor consequently of the reports, of these commissions.

The system of public instruction may be considered as divided into the following leading departments:—Collegiate, affording instruction in the higher branches of science and literature; Classical, for the rudiments of the same branches; Mercantile or English, designed for the middle classes, who do not require a knowledge of the higher sciences or of the learned languages; and Elementary, for the instruction of the great body of the population in reading, writing, and the simpler processes of calculation. The colleges consist, 1st, of those supported wholly or in part by grants of public money; and, 2nd, of those wholly supported by the contributions of private associations or individuals. The first class comprises Trinity College, Dublin; the Royal College of St. Patrick, Maynooth; the Royal Academical Institution, Belfast; and the new colleges of Cork, Belfast, and Galway, founded under the Act 8 and 9 Vict., c. 66. The second class comprises the college of St. Columba, Stackallen; St. Patrick, Carlow; St. Jarlath, Tuam; St. Kyran, Kilkenny; and the Catholic Missionary College of All Hallows, Drumcondra, near Dublin.

Trinity College, Dublin.—So early as the year 1311, John Leck, archbishop of Dublin, procured a bull from Pope Clement V. for the foundation of a university in Dublin, which was not acted upon. His successor, Alexander de Bicknor, obtained a similar bull from Pope John XXII., which was carried into effect. A code of statutes was drawn up for the government of the university, and a writ of protection was issued in favour of the students resorting to it, whether from Ireland or England. The distracted state of the country, however, proved a bar to its prosperity; and after lingering in a state of obscurity till the time of Henry VIII., it was closed on the dissolution of the monastic institution at St. Patrick's, where it had been established. The town of Drogheda, once second only to Dublin in political and

commercial importance, was authorised by an Act of Parliament in 1465 to establish a university, with the same privileges as that of Oxford; but there are no traces of such an institution having ever existed. After a fruitless attempt to restore the ancient university in St. Patrick's during the reign of Elizabeth, another was opened through the exertions of Archbishop Loftus, who prevailed on the corporation of Dublin to assign the ground and buildings of the dissolved monastery of All Saints on Hoggins Green, in the eastern suburbs, for its use, and procured a charter from the Queen erecting it into a corporation, consisting of a provost, three fellows, and three scholars, under the name of "The College of the Holy and Indivisible Trinity, near Dublin." The erection of the necessary buildings was forwarded by a voluntary contribution of the gentry throughout Ireland; and means for its future maintenance, though on a very limited scale, were derived from royal grants. The first students were admitted in 1593. By a new code of statutes, framed in 1627, the number of fellows was fixed at seven, of scholars at seventy, and of probationer fellows at nine. By a subsequent charter, procured through the influence of Archbishop Laud, several material changes were made in its constitution, most of which continue to the present time. The nomination of the provost was reserved to the Crown. The fellowships, which had hitherto expired at the end of seven years after taking a master's degree, were made tenable for life. The nine probationary fellows were admitted members of the corporation, under the name of "junior fellows;" but the entire government, both as to discipline and finance, was vested in the provost and seven senior fellows, subject to the control of visitors nominated by the Crown, in whom the right of ultimate appeal was vested. A special clause provided that no person should profess or teach the liberal arts in any other place in Ireland without a license from the Crown. During the Protectorate the university was nearly extinct, but was revived again, according to its previous forms, at the Restoration. At this period a proposal was made to found a second college in Dublin, to be of the university, and to be named the King's College. Lands were appropriated for this purpose, and a liberal grant of money issued, but the scheme was not carried into effect. During the residence of James II. in Ireland a college was opened in Back-lane; but, having been transferred to Trinity College at the Revolution, it was soon after closed. The funds of the college were considerably augmented by grants of land in Ulster by James I., and elsewhere out of the forfeited lands by Charles II. In 1698, a new fellowship was endowed from a bequest of Dr. Richardson, Bishop of Ardagh; in 1724, three were added from the funds of Erasmus Smith; in 1762, two from the bequest of Provost Baldwin; in 1808, three more were endowed out of the increased revenues of the university; and in 1840, ten new fellowships were founded under the following restrictions, viz., that, at the annual election for fellowships one new fellow should be elected in the year 1840, and in each of the next succeeding nine years, over and above any vacancies that should occur in the subsisting body of fellows; the four senior only of the additional fellows to be tutors, the others to enjoy all other privileges and emoluments of office. After 1849, when the additional number shall have been completed,

there is to be an annual election of one new fellow, though there should be no vacancy among the body of fellows, and the candidate so elected shall succeed to the first vacancy that occurs after his election, unless there be at the same time two or more persons so elected, as last mentioned, in which case the senior shall succeed to the vacancy, and so on in rotation. After 1849, no more than two fellows are to be elected annually, whatever may be the number of vacancies.

The government of the university is vested in the Chancellor; the Vice-chancellor, who may, in special cases, appoint a pro-vice-chancellor; the Provost; the Vice-provost, usually the first of the seven senior fellows; two Proctors; two Deans and a Censor; two Librarians; a Registrar, who performs the duties of secretary or actuary to the Provost and senior fellows; two Bursars; a Registrar for the electors admitted under the Reform Act; an Auditor; six university preachers; four morning lecturers; and nine examiners. The ordinary details of management are superintended by the provost and senior fellows, who in this capacity are called "The Board," and meet every Saturday.

The system of instruction is carried on by means of professors and lecturers. These are as follow:—the Regius Professor of Divinity, established on the first foundation of the college; the Regius Professor of Civil and Canon Law; the Regius Professor of Feudal and English Law; the Regius Professor of Physic; the Regius Professor of Greek; a Lecturer in Divinity on the foundation of Archbishop King, in 1718; a second Lecturer of Divinity, established under a bequest of Mrs. Anne Donnelan for the encouragement of religion, learning, and good manners; a Lecturer in Mathematics, on the endowment of Arthur Earl of Donegal in the 17th century, and a Lecturer, with three assistants, in Greek. From the funds of Erasmus Smith have been endowed the five professorships of natural philosophy, oratory, mathematics, history, and the Oriental languages. The professorship of astronomy arose out of a bequest of Provost Andrews in 1774, left by him for the erection of an observatory, and the maintenance of properly qualified persons to superintend it. The observatory has been erected at Dunsink, near Dublin, where the professor, who bears the title of Royal Astronomer of Ireland, resides. He is required to make and publish a regular series of astronomical observations, and to give instructions in the theory and practice of astronomy. This professorship, from the scientific qualifications of the individuals by whom it has been filled, the excellence of the apparatus, and the accuracy of the observations, stands high in the estimation of the scientific world. The professors of anatomy, chemistry, and botany were appointed under the Act for the establishment of a complete school of physic in Ireland, passed in 1785. The school consists of the lecturers already named, and of three more on the foundation of Sir Patrick Dunn's hospital. A lecturer in natural history, to whom the care of the museum is intrusted, was appointed in 1816. A professorship of political economy has been established, and an endowment granted for its support, by Dr. Whately, the present Archbishop of Dublin. A catechist, with eight assistants, is elected annually from among the fellows. There are also professors of Moral Philosophy, Biblical Criticism, Greek, Irish, Anatomy and

Surgery, Chemistry, Botany, Geology, French and German, and Italian and Spanish languages. A school of Engineering was established in 1842, in the view of combining the theoretical and practical instruction requisite for the profession of civil engineering. It consists of professors and lecturers in mathematics, theoretical and practical mechanics, physics, chemistry as applied to the arts of construction, mineralogy, geology, practical engineering, and drawing and surveying. The professional course continues during three years, at the close of which diplomas are awarded by the board, on the recommendation of the professors, to such students as are deemed qualified to commence the practice of the profession.

The details of literary and scientific instruction, and the superintendence of the moral discipline of the students, are more especially committed to the junior fellows. The examinations, for fellowships, which are held on the four days preceding Trinity Sunday, are conducted by the provost and senior fellows, aided, if deemed necessary, by the professors of natural philosophy and mathematics. The subjects are, logic, mathematics, natural philosophy, ethics, history, chronology, Latin, Greek, and Hebrew. The examination is in Latin. The candidates must be at least of the degree of B.A. The successful candidate is considered as having secured a liberal and respectable independence for life; pecuniary premiums, sometimes to a large amount, are conferred upon those who, though unsuccessful, have displayed striking marks of genius or industry during the investigation. It may be mentioned, that the frequency of these elections is considerably increased, by the circumstance of the college having at its disposal 22 lucrative benefices in the northern dioceses. When any of these becomes vacant, it is offered to each of the clerical fellows in succession, commencing with the eldest. As the incomes of several of these benefices are a good deal more valuable than the average receipts of a junior fellowship, resignations for parish livings were often made so long as celibacy was imposed on the clerical fellows; but, since it is no longer required, the inducements to resignation have been much diminished. By a late Act for regulating the established church of Ireland, the Archbishops of Armagh and Dublin are required to set apart a benefice not exceeding the annual value of 1,000*l.* out of each of the ten extinguished bishoprics, to which, when vacant, they are to nominate a fellow or ex-fellow of the college. In case of the acceptance of it by a fellow, he is to vacate his collegiate situation. It may be also added, that the incomes of the provost and senior fellows arise partly from the annual stipends of the professorships they hold, but chiefly from the college lands, which are let on short leases, periodically renewable on payment of a fine. The rents go to the general fund: the fines are applied to maintain the senior fellows. The provost derives his income from lands peculiarly appropriated to his use. The junior fellows also derive some part of their income from stipends issuing out of the funds of the university, and some part from minor professorships or lectureships; but their chief source of income arises from the fees of their pupils. Every student on admission, after an examination of some extent and strictness as to his proficiency in Greek and Latin, is bound to enter himself under one of the junior fellows, chosen by him at

pleasure, who is afterwards looked upon as responsible for his pupil's general progress and moral conduct, and who aids his studies by instructions auxiliary to those of the public professors.

The chief stimulus to study arises from the periodical examinations. By a late regulation the year is divided into three terms, Michaelmas, Hilary, and Trinity. Those of Michaelmas and Hilary are followed each by a short recess; that of Trinity by a vacation of three months. Each term commences with an examination, not only of the studies of that immediately preceding, but of the substance of most of those which had been previously gone over. The undergraduate course consists of four years, in each of which the students are distinguished by the titles of junior and senior freshmen, and junior and senior sophisters. The course of scientific instruction is as follows:—In the first year, mathematics; in the second, logic; in the third, astronomy and physics; and in the fourth, ethics; in addition to which the student is expected to become a considerable proficient in Greek and Latin. A twofold course of studies is laid down for each examination, the one for such students as wish merely to pass through the undergraduate course; the other for those who aspire to academic honours. The prizes during the first three years consist of books. At the close of the fourth year superiority is rewarded by an apppointment to the moderatorships in physics and mathematics, in ethics and logic, and in classics. Other prizes are awarded for extraordinary proficiency in particular departments of study.

Besides the classification arising from seniority, there is another founded on the student's station in society. According to this latter principle, students are arranged in four ranks, viz.: 1. Noblemen and baronets, styled Nobiles, Filii Nobilium, and Equites, who are entitled to their degree at the end of two years. 2. Fellow commoners, who are entitled to graduate at the commencement of their fourth or senior sophister year. These, as well as the former class, pay a high annual stipend, and dine at the same table with the fellows in the Commons' hall. 3. Pensioners, who constitute the great body of the students; and, 4. Sizars, who are educated and partly supported out of the general fund. The number of the latter is limited to thirty, and admission is obtained after a very strict examination held annually to supply vacancies. Each of these orders is distinguished by a peculiar dress.

The annual charges of a student, including tuition, but exclusive of rooms and commons, are—for noblemen, 60*l.*: fellow-commoners, 30*l.*; pensioner, 15*l.*; sizar, 5*l.* 1*s.* 2*d.*; with an entrance fee of half the amount of the yearly charge from each class, together with a stamp duty of 1*l.* on admission or matriculation.

The 70 scholars form a distinct body among the undergraduates, dependent solely on literary merit, being elected after an examination in the Greek and Latin classics, held at the close of the third year. A scholarship continues till the holder is entitled to the degree of M.A., a period of from four to five years, during which he receives a trifling emolument, partly in money, partly in free-commons. Twenty scholars are admitted by election of the board to what are called natives' places, which gives some addition to their emoluments.

The periods, called commencements, for conferring degrees, are held

twice a year,—on Shrove Tuesday, and on the Tuesday next after the 8th of July. The student, after having completed his undergraduate course, is styled a candidate bachelor: on being admitted to his degree he obtains successively year after year the titles of junior, middle, and senior, bachelor; he is then admissible, after having attended certain courses of lectures, to the degree of M.A. A Bachelor of Divinity must be an M.A. of seven years' standing: a Doctor in Divinity must have been a B.D. of five years', or a Master of twelve: a Bachelor of Laws must be an A.B. of three years' standing: a Doctor of Laws must be an LL.B. of five years' standing, or of four if he be already an M.A. The rules of admission for medical degrees require several special conditions of attendance on specific courses of medical lectures.

Trinity College is a political as well as a literary corporation: the charter of James I. vested the provost, fellows, and scholars with the privilege of sending two members to the Irish Parliament. The Act of Union restricted this number to one; but the original number was restored by the Reform Act, which also made a very great change in the constituency. The right of election was then extended to all members of the university of twenty-one years of age, who at that time had, or who should thereafter obtain, a fellowship, scholarship, the degree of Master of Arts, or any higher degree. To exercise this right, the elector's name must be retained on the college books, for which he pays 1*l.* a-year. Persons possessed of the above recited qualifications who had withdrawn their names from the college books were permitted to restore them on payment of a sum of 2*l.* And by a subsequent Act, all persons with whom the college may compound for a gross sum of 5*l.* for life are entitled to have their names continued on the college books, and to vote at parliamentary elections without any further payment. The number of the constituency amounts at present to about 1,500.

The buildings of Trinity College cover a large space of ground nearly in the centre of Dublin. They consist of three quadrangles, one of which is of great extent and much architectural beauty. The library is by much the finest, as well as the largest of the public buildings, being a gallery 210 feet in length, 40 in breadth, and 40 in height. The books are placed in recesses on each side: their number has been estimated at about 100,000. The origin of this establishment is peculiar. On the defeat of the Spaniards at Kinsale in 1602, the victorious soldiery, being determined to commemorate their triumph by some permanent memorial, collected among themselves the sum of 1,800*l.* to be laid out in books for the library of the infant establishment of Trinity College, which was entrusted to Archbishop Usher. The private library of the latter, and that of Dr. Baldwin, one of the Provosts, with some others of minor note, were afterwards bequeathed to it. A clause in the Copyright Act entitles the university to a copy of all publications entered at Stationers' Hall. The other public buildings are, the chapel, the theatre or examination-hall, enriched by a fine monument of Dr. Baldwin, the museum, the dining-hall, the medical school, and the printing office. The rest of the structure consists of apartments for the residence of the fellows and students; attached to the buildings

is a spacious lawn, well planted, for the recreation of the students, and two smaller pieces of ground for the use of the provost and fellows.

New Colleges.—In 1845, a considerable addition was made to the means of instruction in the higher departments of literature and science, by the Act 8 and 9 Vict., c. 66, which empowers the Treasury to advance 100,000*l.* for the building of new colleges in Ireland, and to issue a sum of 21,000*l.* a-year for the support of the same. Under this Act colleges have been founded in Cork, Limerick, and Belfast, each to be governed by a president and vice-president, nominated by the Crown and by Professors in the faculties of Arts, Law, and Medicine. The education to be furnished by them is to be of the most approved species; and as no religious test is to be required either on the part of the professors or students, they will be open alike to all classes of people. Religious instruction may, however, be given in the halls of the colleges; but attendance on such instruction is to be strictly voluntary. These colleges are not to grant degrees.

We regret to have to add, that these institutions have met with much opposition from a considerable portion of the Catholic clergy. Probably, however, this opposition will die away as the benefits of the institutions become more apparent. They are not necessarily, as they have been called, "Godless Colleges." Religious instruction may be, and no doubt will be liberally provided for in them or in the places where they are established; but there will be no compulsion in the matter; Catholic students will not be obliged to hear Protestants lecture on theology nor will Protestant students have to attend the prelections of Catholic doctors.

College of St. Columba, Stackallen, (co. Meath.)—This collegiate establishment was founded in 1843, by private endowment, for the education, exclusively, of young men, members of the United Church of Great Britain and Ireland, according to its principles and formularies. It consists of a warden, seven fellows and tutors, and twelve scholars, ten of whom receive annual stipends of 42*l.*, and two of 52*l.* 10*s.* each. All the scholars are required to learn and speak the Irish language. The college fees, including tuition, are 70 guineas a-year paid in advance.

The *Royal College of St. Patrick, Maynooth*, was founded in 1795, for the education of persons designed for the Roman Catholic ministry in Ireland. It is vested in a board of trustees, of whom the Roman Catholic archbishops are members *ex officio*, the remainder being selected from the Catholic hierarchy and nobility, in the proportion of seven of the former to six of the latter. The government of the college is administered by a board of visitors, partly chosen by election, and partly nominated by the Crown, under the provisions of the Act 8 and 9 Vict., c. 25, but the powers of the visitors do not relate to or interfere with any matter having reference to the tenets, discipline, or authority of the Romish church. These important matters are entrusted to another board of visitors, who must be members (and are usually dignitaries) of the Roman Catholic church. The chief functionaries of the establishment are the president, vice-president, and three deans; besides whom, there are three professors of divinity, and nine others, including a professor of the Irish language, giving in-

struction in various branches of literature and science. The number of students, on the first opening of the classes, in 1795, amounted only to 50; but it has since progressively increased to 450, to which it was limited, by the inadequacy of its funds to admit of further augmentation. But under the new regulations, provision is made for 520 students. These are comprised, 250 in four junior classes, and 250 in three senior classes, with a class of 20 superior students, who each derive, exclusive of other allowances, an income of 62*l.* a-year from a fund left by Lord Dunboyne for that purpose. The funds for defraying the expense of the establishment were derived, previously to 1845, from an annual parliamentary grant, (usually of 8,928*l.*,) and from bequests and fees. These, however, were quite insufficient for the proper support of an institution having to provide for the education of the Catholic clergy of Ireland. The salaries of the professors and the accommodation of the students were alike inadequate and paltry; while, despite this miserable economy, the institution was getting into debt, and the number of pupils was unequal to the wants of the priesthood. It is needless to say, that the consequences of such a state of things were most prejudicial to the public interests; and to obviate these, and to place the institution on a footing more suitable to its important object, the annual parliamentary grant (of 8,928*l.*) was changed in 1845 to a permanent grant, and increased to 26,360*l.* a-year, a sum of 10,000*l.* being, at the same time, voted for the repair and enlargement of the buildings and library. The trustees of the college have been also authorised to hold such land and other fixed property as may be left for its behoof, to the value of 3,000*l.* a-year. In consequence of this liberal addition to its funds, the emoluments of the presidents and professors, and the education and accommodation of the pupils, have been materially improved; so that the most beneficial effects may be expected to result from the measure, directly by the greater allurements it will hold out to professors of superior merit and attainments to enter the college; and, indirectly, by the grateful sense which they and the pupils cannot but feel, of the liberality and munificence of the government. Hitherto the students have belonged, with but few exceptions, to the middle and lower classes of Roman Catholic landholders and farmers. Public examinations are held twice a-year. The site of the establishment is a tract of 54 acres, adjoining the town of Maynooth, and the buildings, which form three sides of a quadrangle, comprise a chapel, refectory, library, lecture-rooms, dormitories and professors' residences. The library contains 12,000 or 15,000 volumes, chiefly on theological subjects.

There certainly has been much to object to in the course of education hitherto followed at Maynooth; and the priests which it has sent forth, have, for the most part, contrasted very unfavourably with those educated in foreign seminaries. We, however, are inclined to think, that this untoward state of things has been principally ascribable to the poverty and destitution in which the college has hitherto languished. Its professorships could be no object to men of ability; and the teachers and students must have been equally disgusted when they compared the pittance allowed them by the state, with the vast sums lavished on the established church, though supplying only the wants of a small minority of the population. But a great change for the better

may be now fairly anticipated. The new endowment will make chairs in Maynooth be sought after by men of superior talents: while the better education, and the greater comfort in which the students are supported, will make it be resorted to by a higher order of pupils, will tend to soften prejudices and asperities, and make the priests less indisposed to the English connexion.

Considering that Maynooth had received an annual grant of nearly 9,000*l.* a-year since its foundation in 1795, the intolerant opposition made to the late wise and liberal measure could hardly have been anticipated. Happily, however, it was not allowed to thwart its success, which is important, not on its own account merely, but as being (as we trust is the case) the first step towards that endowment by the state of the Catholic clergy of Ireland, which is, in all respects, so indispensable to the well-being of the country.

Royal Belfast Academical Institution.—The wish to possess a place of liberal education, which might preclude the necessity of having recourse to Dublin or Scotland, to acquire instruction in the higher branches of literature and science, suggested the idea of forming such an institution in Belfast. A plan to effect this object, laid before the public in 1807, was so well received that, in a few weeks, a fund of 16,000*l.* was raised in the town and its vicinity, which was soon after augmented to 25,000*l.* by subscriptions from other parts of the United Kingdom and the East Indies. In 1810 the institution was incorporated under the name of the Belfast Academical Institution, by an Act of Parliament, which divided the governing body into two boards, one of managers to superintend the financial department, the other of visitors to regulate the details of instruction and discipline, each to be elected by and from among the subscribers. The Act requires that all bye-laws be submitted to the Irish Privy Council; and, if not disapproved of by that body within thirty days, they are to be of full force until repealed or altered by the body that framed them. The fund subscribed having been wholly expended on the buildings, an annual grant of 1,500*l.* for the payment of professors and teachers was given by parliament; but having been withdrawn in consequence of the expression of peculiar political opinions by some of the teachers at a public meeting, it was renewed in 1824 at the recommendation of the commissioners of education, and for some time past has amounted to 1,900*l.* a-year. The institution is divided into a collegiate and a school department; the former consists of the professors of natural and moral philosophy, logic and belles lettres, mathematics, Latin and Greek, Hebrew and Oriental languages. It has also a medical and a theological department. The professors of divinity are appointed by the general synod of Ulster, and the seceding or presbyterian synod of Ireland. The school department consists of rudimental schools for teaching Greek, Latin, Italian, French, English, mathematics, geography, and drawing; each course being superintended by a separate master: the teachers in this department form a second board of faculty. The course of study and discipline in the collegiate department resembles that of the Scotch colleges, the professors giving their instructions in an annual session, commencing in November and ending in May. The school system is similar to that adopted in other great schools in Ireland. Public examinations are held in

summer at the close of the annual session. The number of students is about 400, divided nearly in equal proportions between the two departments. The synod of Ulster recognises the general certificate of the higher faculty as equivalent to a degree of Master of Arts of Glasgow, or of Bachelor of Arts of Dublin. The buildings, which are limited in extent, and without any pretensions to architectural elegance, contain lecture-rooms for the professors, apartments for the instruction of the junior pupils, with accommodations for boarders, a museum, and a library. The fees of pupils in both departments are moderate, and free scholars are admitted under certain limitations upon a certificate of an original subscriber of 100*l.* or upwards.

This institution is authorized to grant certificates to candidates which entitle them to be examined for degrees in Arts and Law in the University of London.

St. Jarlath's College, Tuam. — The College of St. Jarlath was founded in 1814 by the late Dr. Kelly, Roman Catholic Archbishop of Tuam. It consists of a principal, three ecclesiastical, and two lay professors. The course of study comprises Theology, Hebrew, Greek, Latin, Italian, and Irish, and is modelled so as to serve as a preparation for the lay professions as well as for admission into the Roman Catholic ministry. The number of pupils is about 140 designed for the church, and 35 for lay professions, besides a fluctuating number of elementary pupils. The college is supported by the fees of the students, aided by an annual subscription of 2*l.* from each parish priest in the diocese.

St. Patrick's College, Carlow, for the education of persons professing the Roman Catholic religion, consists of a President, Vice-President, two Deans, and Professors of Theology, Sacred Scripture, Natural Philosophy, Moral Philosophy, and Humanity. Students for foreign missions are received at a pension of 10*l.* per annum. The college is empowered to issue certificates in Arts and Law, entitling the holders to be examined for degrees in the University of London.

St. Kyran's College, Kilkenny, for the education of Roman Catholic students, consists of a President, Vice-President, Prefect, and Professors of Theology, Philosophy, Sacred Scriptures, and Classics. It is also, like the preceding, in connexion with the University of London.

The Catholic Missionary College of All Hallows, near Drumcondra, Dublin, for the education of priests for the foreign missions, is governed by a community of clergymen, who gratuitously devote themselves to the religious and intellectual training of the inmates. It is situated in a retired demesne of 24 acres, and could accommodate 200 students; the number at present (1846) is only 70. There are Professorships of Sacred Scripture and Ecclesiastial History, Dogmatic Theology and Italian, Moral Theology, Logic, Metaphysics, and Ethics, Physics, Rhetoric and French, and Belles Lettres. Candidates for admission must be of good constitutions, not under 17 years of age, sufficiently instructed to enter the Rhetoric or Logic class, fully resolved to go on a foreign mission, and must pay 10*l.* annually. An annual contribution of the same amount entitles the donor to establish a free place for an additional student.

The *public classical schools*, which, in their constitution and courses of study, resemble in many respects the great grammar schools of

England, are those of royal foundation, diocesan schools, schools on the foundation of Erasmus Smith, and those founded by individuals. The royal schools were founded by Charles I., in the commencement of his reign; who endowed them with large tracts of land, chiefly in the northern counties." They are situated in the city of Armagh, and in the towns of Dungannon, Enniskillen, Raphoe, Cavan, Banagher, and Carysfort. The land granted for their support amounts to 13,588 acres, and produced in 1807, when their state was investigated by the commissioners of education, a revenue of 8,405*l.* a-year. The appointment of the teachers or head masters is vested in the lord-lieutenant, and each had formerly the management of the landed property attached to his school. But the management of the latter and the inspection and control of the teachers are now vested in a board of commissioners, who make annual reports to parliament. Still, however, these schools, though improved relatively to their former state, are far from filling the space in the general system of national instruction anticipated at their formation. The diocesan schools owe their origin to an Act of the 12th of Elizabeth, which requires a grammar-school to be founded in every diocese, and empowers the lord-lieutenant to fix the salary of the teacher: which is to be assessed on the bishop and the beneficed clergy of the diocese in the proportion of one-third to the former, and two-thirds to the latter. There were, in 1807, 32 schools in the different dioceses. The defects of their constitution led to a new arrangement, by which two or more dioceses were united for the maintenance of a district school; the numbers of which were fixed to be 5 in each of the provinces of Armagh and Cashel, and 4 in each of those of Dublin and Tuam, making a total of 18. This arrangement has, however, been but partially carried into effect: for, in 1834, of the 18 dioceses or districts in which schools are appointed to be kept, 8 only were provided with effective teachers, and at present, (1846,) 13. Erasmus Smith, one of the English adventurers who procured large grants of land in Ireland during the Interregnum, having bequeathed a large portion of them to pious and charitable uses, the trustees applied part of the income hence accruing to found grammar schools in Drogheda, Galway, Tipperary, and Ennis. The classical schools of private foundation are those of Navan, Ballyroan, Clonmel, Carrickmacross, Kilkenny, (which assumes the style of a college,) Middleton, the corporation school in Waterford, Dundalk, Lismore, Bandon, Kinsale, Castlebar, Charleville, Lifford, Cloghnakilty, and Rathfarnham. All these, though they vary in the mode of government and the details of management, are under the superintendence of the Board of Commissioners already noticed. But it may be observed, that though the admission of free scholars is considered to have been a main object with the founders, the number of this description of pupils is very small in comparison with the amount of income intended for their benefit, the total number in all the royal diocesan and other endowed schools being only 134.

The chief mercantile or English schools are those endowed by the trustees of Erasmus Smith's bequest, in the Coombe in Dublin, in Nenagh, Tipperary, Tarbert, and some other places; the Hibernian Nursery in the Phœnix Park, for the education of soldiers' orphans, which receives grant of public money; the Marine School on Sir John Rogerson's Quay, Dublin, for mariners' children; the Blue-coat Hos-

pital school in Oxmantown for the sons of decayed citizens of Dublin; Wilson's Hospital in Westmeath; Oldcastle, in Meath; Disrael's School, in Carlow; besides a number of others dispersed throughout various parts of the country.

The *education of the lower classes* has been long an object of parliamentary attention. So far back as 1537, an Act was passed requiring every incumbent of a parish to take an oath, on admission to his benefice, to teach an English school or to cause one to be taught. The provisions of this Act have been thought by many to be sufficiently complied with by the allowance of an annual stipend of 2*l.* to the parish clerk, or to some other individual who teaches or professes to teach a school; and, in many instances, notwithstanding the solemnity of the condition attached to it, it has been wholly inoperative. The general principle has latterly attracted the peculiar attention of the legislature; but the modes of management have been desultory and variable, and the results unsatisfactory. Grants of public money, to a very large amount, were given to two self-constituted associations. One of these, formed in 1811, under the name of the Kildare Place Society, and consisting of a number of respectable individuals chiefly resident in Dublin, received an annual grant which was gradually augmented to 25,000*l.* They embodied themselves on the express condition of affording literary information, without any interference with the religious opinions of the pupil. But, having subsequently required that the reading of the Bible should form an essential part of the school studies, and this innovation being resisted by the Roman Catholic hierarchy as contrary to the tenets of their church, which deems the assistance of the clergy necessary for the salutary perusal of the sacred volume, the operations of the society were impeded, and its usefulness as an organ of national education neutralised. The other association, the Society for the discountenancing of Vice, composed chiefly of clergymen of the Established church, also received an annual grant of between 5,000*l.* and 10,000*l.*; but as, in addition to the condition introduced into the Kildare Place Society, it required the introduction of the Protestant Liturgy, and other devotional treatises, it was deemed still more objectionable. Besides these grants, a sum of from 4,000*l.* to 5,000*l.* was entrusted to the lord-lieutenant to be disposed of at his discretion for the purposes of education. The general repugnance to the proceedings of these societies led to a total alteration of the system. The grants were withdrawn in 1831; and a single grant was vested in a Board of Commissioners for National Education, consisting of the Protestant and Catholic archbishops of Dublin, with sundry noblemen, clergymen, and gentlemen nominated by the Crown. They were formed into a corporation in 1845, and have power given them to hold lands to the value of 40,000*l.* a-year, to receive gifts and bequests, &c. The commissioners appear to have discharged their important duties with great zeal, and with the most exemplary impartiality. The schools they assist in establishing, though opposed by the bigots of both factions, appear to be making the most satisfactory progress; and will, no doubt, be productive of great public benefit. We subjoin an account of the progress of the National schools since their commencement in 1833:—

Years.	Schools.	Pupils.	Parl. Grants.
1833	789	107,042	25,000
1834	1,106	145,521	35,000
1835	1,181	153,707	35,000
1836	1,300	166,929	35,000
1837	1,384	169,548	50,000
1838	..	..	50,000
1839	1,581	192,971	50,000
1840	1,978	232,560	50,000
1841	2,337	281,849	57,000
1842	2,721	319,792	55,000
1843	2,912	355,320	55,000
1844	3,153	395,550	75,000
1845	3,426	432,844	85,000

Abstract Account of the number of Schools connected with the National System of Education in operation in the different Provinces of Ireland in 1845, *showing the number of Children on the Rolls, the number of Teachers, &c.*

Provinces.	Number of Schools.	Number of Children on the Rolls, as returned by the Managers for the Half-years ending,						Number of Teachers.	
		31st March, 1845.			30th September, 1845.				
		Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.
Ulster . . .	1,442	81,898	54,253	136,148	81,040	60,034	141,174	1,208	825
Munster. . .	725	57,005	44,845	101,850	65,517	52,950	118,467	545	826
Leinster. . .	855	57,797	49,527	107,324	62,814	55,273	118,087	593	406
Connaught . .	404	28,639	18,395	47,234	30,440	20,152	50,592	317	137
Total .	3,426	225,531	167,025	392,556	239,671	188,409	428,280	2,655	1,194

A society for educating the children of the poor in connection with the Church of England, was founded in 1839. It is supported wholly by voluntary contributions; and had, in 1845, 1811 schools and 100,755 pupils.

The Sunday School Society, formed in 1809, for the moral and religious instruction of children unable to attend schools on week days, had in connection with it, in 1846, 2,962 schools, attended by 22,980 teachers and 244,503 pupils. It is maintained wholly by voluntary contributions.

The other principal seminaries of public foundation for the instruction of the lower classes, are the charter schools, founded in the beginning of the last century. Their chief object was the conversion of the Catholic population through the medium of religious and literary instruction. The chief means adopted was the abstracting of the children from their parents when very young, and rearing them in nurseries; whence they were drafted at a proper age into schools, where they were lodged, fed, clothed, and instructed in the elements of literature, and in the practical knowledge of the simpler processes of agricultural and manufacturing industry. In the transfer, or, as it was styled, "transplantation," care was taken to remove them as far as possible from their parents. When of sufficient maturity, they were apprenticed to protestant masters. The plan, though highly patronised and supported by large private donations and bequests, and by still larger grants of public money, proved a complete failure. The number of schools in the most flourishing periods was but thirty-nine, including four nurseries;

and not maintaining at any one time more than 1,600 children. Abuses of great enormity, notwithstanding the existence of a central board of control in Dublin, and of local boards in the neighbourhood of each school, were found to have crept in. Parliament, therefore, withdrew the grant, leaving the society to carry on its affairs out of its private income, which in 1808 amounted to upwards of 10,000*l.* annually. The number of elementary schools founded by charitable associations, or by donations and bequests of benevolent individuals, are too numerous to admit of a specification even of their names and localities.

The total number of pupils receiving instruction in public schools is stated by the Commissioners of Education to have been, in 1808, 45,590 Protestants, and 116,977 Catholics: total, 162,567. The number, stated in the returns of the enumerators employed in taking the census of Ireland in 1821, was 394,813; the distinction of religion was not noticed by them. In the returns of the Commissioners of Education, in 1824-6, the numbers are, Protestants, 142,168; Catholics, 408,285; those whose religious persuasion could not be ascertained, 10,096: total 560,549. According to a return of the Commissioners of Public Instruction, in 1835, the number of schools and scholars in Ireland, were as under:—

	Provinces.				Total in Ireland.
	Armagh.	Dublin.	Cashel.	Tuam.	
Number of Daily Schools	4,482	1,612	2,322	1,241	9,657
Number of Daily Schools supported wholly by Payments from the Children	2,396	830	1,577	850	5,653
Number of Daily Schools supported wholly, or in part, by Endowment or Subscription	2,086	782	745	391	4,004
Number of Schools in connection with or receiving support from—					
1. The National Board	461	204	137	90	892
2. Association for Discountenancing Vice	112	48	37	6	203
3. Erasmus Smith's Fund	61	25	22	7	115
4. Kildare Street Society	195	17	15	8	235
5. London Hibernian Society	460	26	37	95	618
Number of Daily Schools, of which the books containing lists of the children were produced	4,235	1,403	2,126	1,122	8,886
Number of Children on the books of those Schools—					
Males	159,118	52,346	85,133	47,212	253,809
Females	105,234	40,481	52,586	25,599	223,900
Sexes not specified	2,089	1,644	1,361	610	5,700
Total	276,441	94,471	139,080	73,421	583,413
Number of Schools of which no lists were produced	247	209	196	119	771
Computed number of Children under Daily Instruction in such Schools	16,055	14,003	12,740	7,735	50,886
Computed total number of Children under Daily Instruction	292,496	108,474	151,820	81,156	633,946
Total Population in 1834	3,128,016	1,247,290	2,345,471	1,233,923	7,954,100
Proportion of Daily Schools to Total Population	as 1 to 698	as 1 to 774	as 1 to 1,008	as 1 to 994	as 1 to 824
Proportion, per centum, of Children under Daily Instruction to Total Population—					
Total on the Books	$8\frac{84}{100}$	$7\frac{57}{100}$	$5\frac{93}{100}$	$6\frac{3}{100}$	$7\frac{33}{100}$
Computed Total	$9\frac{35}{100}$	$8\frac{70}{100}$	$6\frac{47}{100}$	$6\frac{56}{100}$	$7\frac{97}{100}$

A notion has been long current in Great Britain that the Irish poor are exceedingly ignorant. But this is certainly not the case now, nor has it been so for a lengthened period. If elementary knowledge, or the being able to read, write, and perform ordinary arithmetical operations be regarded as education, it is more generally diffused in Ireland than in England. "Where, in England," asks Mr. Bicheno, "could the Ordnance Surveyors find persons among the *lowest class* to calculate the sides and areas of their triangles, at a halfpenny a triangle, as they do in Ireland, and abundance of them? * However they may apply it, the Irish are honourably distinguished by their desire to possess information, and by the efforts they have made to acquire it. But until within these few years their education was very defective; and the books that were used in schools were not unfrequently of the very worst description. We believe, however, that these have now nearly disappeared; and the school books published by the Kildare Street Society, and more recently by the Education Commissioners, seem to be not merely equal, but superior to most of those used in schools in Great Britain. The ignorance of the people has little to do with the peculiar state of Ireland: their want of industry and providence, their confidence in those who least deserve it, and the violence so frequently done to their sense of justice, are the grand sources of the poverty and disorders that have so long disgraced the country.

CHAPTER II.—Revenue and Expenditure.

Sect. 1. *Revenue.*

In early times the sovereigns of England, like those of most other feudal states, were the greatest landholders of the kingdom; their revenues consisting principally of the rents, services, &c., derived from their own lands, and partly of the fines, compositions, and other payments derived from the lands of others. But in the course of time the estates of the Crown were mostly alienated; and the diminution of the royal revenue thence arising being coincident with increased demands for the public service occasioned by the progress of society, and the consequently greater expense of government and defence, it became necessary to explore other sources of revenue. In early times it was usual for parliament to make grants of *tenths* and *fifteenths;* that is, to grant to the Crown a tenth or a fifteenth part of all the moveable property belonging to the subject. But there can be no doubt that they were but very imperfectly collected; and that the Crown never received anything like the real amount of these grants. The other ancient levies were of the nature of a land-tax; being called scutages, when laid on the tenants of knights' fees, hydages when laid on the occupiers of other lands, and talliages when laid on cities and boroughs. But these having gradually fallen into disuse, were followed by subsidies. The latter were not immediately imposed upon property, but upon persons in respect of their reputed estates, after the nominal rate of 4*s.* in the pound for lands, and 2*s.* 6*d.* for goods; and for those of

* Mr. Bicheno's *Report on Poor Laws*, p. 41.

aliens in a double proportion. The existing land-tax grew out of the subsidy scheme; having originated in 1692, when a new assessment or valuation was made, by which a subsidy or land-tax of 1*s.* in the pound produced 500,000*l.* a-year of revenue. (See *Blackstone*, book i. cap. 8.)

But these resources were but limited, and comparatively inconsiderable; and were wholly inadequate to meet the vast expenditure of modern times. The sum withdrawn from the public by means of taxes, and appropriated to the use of government, amounts at present (1846) to about 57,500,000*l.* sterling, and far exceeds in magnitude the public revenue of any other country. But it must not thence be inferred that taxation is here comparatively heavy. Its pressure is not to be estimated by the actual amount of the sum taken from the people and lodged in the coffers of the treasury; but by the mode in which taxes are imposed, and the ability of the people to bear them. In some countries taxes are imposed on certain classes only; and even where this inequality does not exist, they are often imposed on erroneous principles, and in a way that makes their assessment and collection peculiarly difficult and injurious. But in the United Kingdom taxation presses equally, or nearly so, on all classes; and without pretending to say that our system of taxation is perfect, or that it might not be materially improved, it appears, speaking generally, to be founded on sound principles, and is practically as little injurious as it could well be rendered. And if we compare the magnitude of our taxes with that of the national revenue whence they are derived, it will probably be found that the complaints of the peculiarly heavy pressure of taxes in this country are, in a great measure, without foundation. It is not to the influence of taxation, but to the expensive style of living, which prevails amongst us, and which luckily (for it is the grand incentive to industry and invention) pervades all classes, that the difficulty many individuals have in preserving their places in society is to be ascribed. Instead of supposing that the influence of taxation in Great Britain has been hostile to the increase of public opulence and private comfort, we incline to think it has had a precisely opposite effect. To the desire of rising in the world, the increasing pressure of taxation during the late war superadded the fear of being thrown down to a lower station; and the two together produced results that we should in vain have looked for from the unassisted agency of either. Oppressive taxes would have had an opposite effect; and instead of producing new displays of industry and economy, would have produced only despair and national impoverishment. But it was seen that the increase of taxation might be met by increased exertion and economy; and this increased exertion has, in fact, led to the production of a far greater amount of wealth than was required to meet the increased demands of the revenue collectors.

About two-thirds of the public revenue are derived from duties of customs and excise; and the rest from the property and income tax, the duties on stamps, the assessed taxes, and the post-office. With few exceptions, the duties seem to be judiciously selected; and though it be true that some of them would be more productive were they materially reduced, the defect is not in the selection of the articles on which to

impose duties, but in the too great height to which they have been carried; a defect that may be easily obviated.

Customs.—From a very distant period customs-duties have been charged on most articles imported into, or exported from, the country; and though inconsiderable at first, they increased, with the increase of civilisation and commerce, till they long ago formed one of the most copious sources of the public revenue, and have now attained to an extraordinary magnitude. The king's claim to the customs-duties was established by stat. 3 Edward I. The various duties were collected, for the first time, in a book of rates, or tariff, published in the reign of Charles II. But there is hardly a year in which the customs-duties do not undergo considerable variations. It is now the practice to consolidate the different Acts imposing or varying the customs-duties before they become inconveniently numerous; and tariffs, or tables of duties, drawbacks, &c., are annually published for the convenience of merchants and others. We have subjoined a statement of the existing duties on the most important articles.

Owing principally to the vast increase of the commerce, wealth, and population of the country, but partly, also, to the increase of the rates, the progress of the customs-duties has been quite extraordinary. The revenue derived from the customs-duties in 1596, in the reign of Elizabeth, amounted to no more than 50,000*l.* In 1613, it had increased to 148,075*l.*, of which 109,572*l.* were collected in London. In 1660, at the Restoration, the customs produced 421,582*l.*; and at the Revolution, in 1689, they produced 781,987*l.* During the reigns of William III. and Anne, the customs-revenues were considerably augmented, the nett payments into the Exchequer in 1712 being 1,315,422*l.* During the war terminated by the peace of Paris in 1763, the nett produce of the customs-revenue of Great Britain amounted to nearly 2,000,000*l.* In 1792, it amounted to 4,407,000*l.* In 1815, at the close of the war with revolutionary France, it amounted to 11,360,000*l.*; and in 1845, it produced 21,706,197*l.*, of which Great Britain furnished 19,377,358*l.*, and Ireland 2,328,839*l.*

For a lengthened period customs-duties were charged indifferently on all sorts of commodities, whether exported or imported; the duty on wool sent to the Netherlands, France, &c., being, during the middle ages, the principal item in the customs-revenue. But for a long time past they have been almost exclusively laid on imported articles; those laid on exports being, in most instances, imposed rather to check or prevent the exportation of the articles, than in the view of raising revenue.

Were this the proper place for such investigations, it might be easily shown, that moderate customs-duties are about the least exceptionable of all taxes. They are collected with the greatest facility, involving no inquiry into the circumstances of individuals, as is the case with taxes on income or property; nor any interference of any sort with the processes carried on in the arts, as is the case with certain excise duties. By allowing imported goods to be lodged in bonded warehouses under the joint locks of the king and the importer, the revenue is protected without its being necessary for the importer to pay the duties till the goods be withdrawn for consumption; so that

but little additional capital is required to be at the command of the importing merchant, because of the articles in which he deals being subject to duties, and but little addition is, consequently, made to the price of the goods on account of the profits accruing to the dealers on the duties.

Customs-duties should not be carried to such a height as to give any overpowering stimulus to smuggling. They then contradict and defeat the very purpose for which they are intended. Our finance ministers have not, however, been sufficiently alive to this obvious consideration. There can be no articles better fitted to bear customs-duties than tobacco and spirits; but tobacco continues to be loaded with a most oppressive duty, and the duties which till this session (1846) were charged on foreign spirits, have been so very high, as to hold out an overpowering temptation to smuggling and adulteration. The duties on the latter have, however, been reduced from 22*s.* 5*d.* to 15*s.* per gallon; and it is probable that those on tobacco will be reduced at no very distant period. At present, however, the duties on tea are by far the most objectionable in our tariff; and their effectual reduction would do more, perhaps, than any other fiscal measure that could be adopted, to add to the comforts of the bulk of the community; at the same time that it would powerfully contribute to extend our intercourse with China.

As already stated, the nett customs-revenue of 1845 amounted to 21,706,197*l.*; and, notwithstanding the defects to which we have adverted, we will venture to affirm, that no equal amount of revenue was ever raised in any country, or in any period of time, with so little difficulty and inconvenience. The assessed taxes, exclusive of the land-tax, produced, in 1845, 3,280,434*l.*; and no one familiar with the facts can doubt that their payment produced more irritation, and was regarded as a greater burden by the public, than the payment of the customs-duties, though the latter brought between six and seven times as great an amount of revenue into the coffers of the Treasury.

The customs-revenue of 1845, was collected in Great Britain at a charge of 5*l.* 7*s.* 9½*d.* per cent. upon its gross produce; and in Ireland at a charge of 9*l.* 8*s.* 3½*d.* on ditto.

Excise Duties.—The next great branch of the public revenue consists of inland, or excise duties, that is, of duties charged on certain commodities produced or manufactured at home.

Excise duties were introduced into England by the Long Parliament in 1643; being then laid on the makers and venders of ale, beer, cyder, and perry. The royalists soon after followed the example of the republicans; both sides declaring that the excise should be continued no longer than the termination of the war. But it was found too productive a source of revenue to be again relinquished; and when the nation had been accustomed to it for a few years, parliament declared, in 1649, that the impost of excise was the most easy and indifferent levy that could be laid upon the people. It was placed on a new footing at the Restoration; and notwithstanding Mr. Justice Blackstone says, that "from its first original to the present time, its very name has been odious to the people of England" (*Com.* book i. c. 8.),

it has continued progressively to gain ground; and it is at this moment imposed on several most important articles, and furnishes nearly a third part of the entire public revenue of the kingdom.

The prejudice in the public mind to which Blackstone has alluded, against the excise duties, seems to depend more on the regulations connected with their imposition, than on the extent to which they have sometimes been carried. The facilities of smuggling, and the frauds that might be committed upon the revenue, unless a strict watch were kept, have led to the enactment of several rather severe regulations. The officers have been empowered to enter and search the houses of such individuals as deal in excisable commodities at any time of the day, and in most instances, also, of the night. And the proceedings in cases of transgression are of such a nature, that persons may be convicted in heavy penalties, by the summary judgment of two Commissioners of Excise, or of two justices of the peace, without the intervention of a jury.

For the more easily levying the revenue of excise, England and Wales are divided into numerous collections, some of which are called by the names of particular counties, others by the names of great towns; where one county is divided into several collections, or where a collection comprises the contiguous parts of several counties, every such collection is subdivided into several districts, within which there is a supervisor; and each district is again subdivided into out-rides and foot-walks, within each of which there is a gauger or surveying officer.

Some excise duties, that were justly objected to, especially that on glass, which interfered injuriously with the manufacture, have been repealed; and we are not sure that there is one of the existing duties that can be fairly objected to on principle, though the rate of duty might, perhaps, in some instances, be advantageously reduced.

It has been said that the excise duties "greatly raise the cost of subsistence to the labouring classes." But this assertion has really no foundation. In 1845, the excise duties in Great Britain produced 13,044,829*l.* nett. Now, of this sum, the duties on spirits, malt, and licenses, produced 10,208,857*l.*! In fact, the only excise duty that can be said to fall on a necessary of life, is that on soap, which produced in 1845 (in Great Britain, for it does not extend to Ireland) 963,506*l.*; and as the population of Great Britain amounts at present (June, 1846), to above 20,000,000, the soap tax cannot, at an average, impose a burden of 1*s.* a-year on each individual. If we estimate its annual pressure on a labouring family of five persons at 4*s.* 6*d.*, we shall not be within, but beyond, the mark.

The only taxes in the various departments of the revenue, that can be truly said to fall on articles necessary to the labourer, are, besides soap, those on sugar, tea, and a few others. The duties on sugar have recently been effectually reduced, and placed on a proper footing; and the duty on tea might be reduced a half with but little, if any, loss to the revenue.

Even though they were not required by the public exigencies, the duties on spirits obstruct a pernicious habit, and should not be given up. They are the best of all possible duties; and the only thing to be

attended to in their imposition, is not to carry them to such a height as to defeat their operation by encouraging smuggling. We have yet to learn, supposing they are not carried beyond this limit, that a single good objection can be made to these duties.

The obscurity and complexity of the excise laws were long and justly complained of. Much, however, has been done to simplify them within the last few years; and nothing should be omitted that may serve to render them brief, clear, and level to the comprehension of every one; and that may hinder them, in as far as practicable, from interfering with the details and processes of manufacture. In this respect, indeed, there is now but little to desire; and the duties seem to be assessed with as much regard to the convenience of the public as the circumstances will admit.

The capacity of a tax on a commodity to raise a revenue, depends partly on the nature and extent of the demand for the taxed article; and partly on the means of preventing its being smuggled or the duty evaded. Every tax, by raising the price of the article on which it is laid, has a tendency to bring it within the command of a smaller number of purchasers, and to lessen its consumption. An individual who might be able and disposed to pay 1*s.* a bottle of duty on wine, might neither have the means nor the inclination to pay 2*s.* or 3*s.*; and, instead of being augmented, the revenue might be diminished by such an increase of duty. And hence, whenever the duties on commodities are raised beyond certain limits, which, however, it is impossible to define *à priori*, seeing that they necessarily vary according to the description of commodities on which duties are laid, the varying tastes and circumstances of society, and the means of counteracting smuggling,—they depress consumption to such an extent, as to become less productive than if they had been lower.

Variations in the amount of the duties affecting commodities have exactly the same effect on their price, and consequently on their consumption, as corresponding variations in the cost of their production. But it is clear that any reduction in the price of articles, the necessary cost of which is very considerable, and can, therefore, be used only by the rich, would not so powerfully increase their consumption, as an equal reduction in the price of cheaply produced commodities in general demand. Thus, a reduction of 25 or even 50 per cent. in the price of coaches would not add greatly to the demand for them; for, notwithstanding this reduction, they would still be luxuries, for which none but the rich could afford to pay. But a reduction of 25 or 50 per cent. in the price of tea, sugar, beer, gin, or any article in general demand, would extend its consumption in a much greater ratio. The reason is, that the lower classes form by far the most numerous portion of society; and that the articles referred to, and others of the same description, are highly esteemed by them; being, even at their present prices, extensively consumed. But a reduction of a half, or even a fourth, from their price, would add prodigiously to the demand for them. It would enable their present consumers to use them in larger quanties; while it would, at the same time, bring many of them fully under the command of a large class by whom they are now used as luxuries only on rare occasions. The history of

taxation in this and other countries fully confirms this statement. When carried beyond due limits, taxes on commodities cease to be productive; and recover that quality when they are reduced. There is much truth in the shrewd remark of Dr. Swift, that, in the arithmetic of the customs, two and two do not always make four, but, sometimes, only one. In 1808, the duty on coffee was 1*s.* 7½*d.* per lb., the quantity entered for consumption that year being 1,069,691 lbs., producing a nett revenue of 161,246*l.* In the course of the year the duty was reduced to 7*d.* per lb.; and next year no fewer than 9,251,837 lbs. were entered for home consumption, producing a nett revenue of 245,886*l.*! The coffee duty has since been lowered to 4*d.*; and the quantity entered for consumption is now about 34,000,000 lbs., and the revenue about *four times* as great as before the reduction! The history of the duties on tea, spirits, wine, sugar, and indeed of every other article in extensive demand, is precisely similar. When carried to an oppressive height, the duty either makes the use of the article be given up, or, which is the most common case, it makes it be supplied through clandestine channels in defiance of the law. But when the duty is moderate, the taste for the article is diffused; and the profits to be made by trampling on the law not being sufficient to remunerate the smuggler, he is forced to abandon his hazardous occupation, and the article is wholly supplied through legitimate channels. After the various disastrous consequences entailed on the country by the exorbitant height to which many duties were carried previously to 1825, and the signal advantages that have resulted to the revenue and the public from their subsequent modification, it may be hoped that the principle now stated will meet with more attention in future.

The attempts that have been made in Great Britain and elsewhere to suppress smuggling, and at the same time to maintain exorbitant duties, have all signally failed. It has been invariably found, that no severity of the law, nor vigilance on the part of the officers, can prevent the smuggling of commodities loaded with excessive duties. Down to a very recent period it was supposed that from 500,000 to 600,000 gallons of foreign brandy and Geneva found their way into our market without paying any duty, in defiance of the coast guard, and of all the other machinery for keeping them out. Large quantities of silk goods and of tobacco are also smuggled. In fact, there are no means of effectually putting down smuggling other than a reduction of duty. The very severity of the laws prevents their execution. It creates a sympathy in favour of the smuggler; it stimulates the trader to corrupt the officer to conceal a fraud; and it makes the officer overlook what he might otherwise discover.

The Excise revenue of 1845 was collected in Great Britain at a charge of 5*l.* 15*s.* 1*d.* upon its gross produce; and in Ireland at a charge of 10*l.* 13*s.* 0¼*d.* on ditto.

Stamp Duties.—These duties form the next most important branch of the public revenue after the customs and excise. They are mostly laid on the parchment or paper on which certain deeds, contracts, receipts, acquittances, bills of exchange, newspapers, policies of insurance, indentures of apprenticeship, &c., are written or printed; and derive their name from the parchment or paper being impressed with

a stamp, stating the amount of the duty. When imposed on fair principles, and not carried to too great a height, stamp duties seem to be one of the most legitimate sources of revenue. They assist, or may be made to assist, in authenticating legal instruments, and render it much more difficult than formerly to forge deeds of any standing. It is needless, perhaps, to say, that if stamp duties be carried to such a height as to oppose any serious obstacle to the free circulation of property, or to the execution of necessary deeds, they become exceedingly injurious. Perhaps the duty on fire insurance is the most objectionable of the existing stamp duties. It amounts to 3*s.* per cent. on all property insured; whereas the premium paid to the insurance office, on ordinarily hazardous property, is no more than 1*s.* 6*d.* per cent., or *only half the duty*. Thus, if a person wish to insure 1000*l.* on a dwelling-house, a shop, warehouse, or other commonly hazardous property, he pays 15*s.* to an insurance office as an indemnification for the risk, and 30*s.* to Government for leave to enter into the transaction! So exorbitant a duty cannot be too severely condemned. It discourages that providence and foresight, the encouragement of which ought to be an object with all prudent governments; and it is the principal cause that much property is not insured, and that what is insured is seldom sufficiently covered. Every individual, in fact, who insures any commonly hazardous property, is obliged *to pay three times as much as the risk is really worth!* Under such circumstances, the wonder certainly is not that a great deal of property is uninsured, but that such is not the case with a great deal more. Seeing the vast importance of insurance, it may well be doubted whether it ought to be charged with any duty, however slight. But were the duty fixed at 6*d.* per cent., or at a third part of the premium, its influence in repressing insurance would not be very sensible. And the increase of business to which such a reduction of the duty would lead would be so very great, that we have little doubt that in a few years the reduced duty would yield nearly as large a revenue as is derived from the present exorbitant duty.

The duties on legacies, and on the probates of wills, are included under the head of stamp duties, of which they are very important items. These duties affect only personal or moveable property, though there is no good reason why they should not affect all sorts of property. The legacy duty varies according to the propinquity of the successor; being 1 per cent. on property devolving on children and lineal heirs; 3 per cent. on property devolving on brothers and sisters; 4 per cent. on property devolving on cousins; and 10 per cent. on property devolving on strangers. The probate duty varies according to the amount of property in the will. These duties have the serious defect (which might, however, be easily obviated) of pressing with greater proportional severity on small than on large sums. The duties on stage and hackney coaches, gold and silver plate, &c., come under the head of stamps.

The principal objection to taxes on successions, or on the transfer of property from the dead to the living, consists in the circumstance of their falling wholly on capital, without occasioning any effort to replace their amount by increased exertion or economy. If a legacy

of 1000*l.* be subject to a tax of 10 per cent., or 100*l.*, the legatee considers his legacy as only 900*l.*, and feels no particular inclination to save the 100*l.*; whereas, had he received the whole 1000*l.*, and been required to pay 100*l.* in taxes on income or commodities, the desire to preserve his capital unimpaired, would have prompted him to endeavour to defray the tax by increased industry or economy, or both. On the other hand, however, the taxes in question are easily collected, and seldom give any disturbance to the existing distribution of capital, as is invariably almost the case with taxes on income or expenditure. Provided, therefore, they be not carried to an excess, or be imposed on an unjust principle, the legacy and probate duties do not seem very objectionable.

Stamp duties were introduced into England in 1671, by a statute entitled "An Act for laying Impositions on Proceedings at Law." The duties were at first granted for only nine years, and were afterwards continued for three years more, when they were allowed to expire. They were again revived in 1693, and have since been gradually and greatly increased. The stamp duties are collected at the moderate charge of about 2 per cent. on the gross amount.

Taxes on Property and Income.—We are inclined to think that the existing tax on property and income is the most objectionable, in respect of principle, of any of the taxes to which the country is at present (1846) subjected. Though theoretically equal, a tax either on income or property, or both, is practically most unequal. We may get a pretty accurate notion of the income derived from land, houses, funded property, and mortgages; but all beyond this is mere guesswork. There are no means by which to ascertain the amount of farming capital, stock in trade, the profits derived from them, or the incomes of professional men. No inquisition into the affairs of private individuals can ever discover these particulars. There is nothing, in fact, to depend upon in such cases but the declarations of the parties; and we need not dwell on the impolicy of any system of finance that sets the duty and the interests of the contributors in opposition, and makes them profit by concealing or perverting the truth. Besides, although these preliminary and insuperable difficulties were overcome, and we had learned the capital and incomes of different parties, we should have other and greater difficulties to surmount before the tax could be fairly assessed. The same deduction should not be made from all incomes without taking into account the sources whence they are derived. To assess them on a just principle, the present value of different incomes, or their value supposing them to be reduced to a perpetuity, should be determined. But it may be unhesitatingly affirmed that to do this on a large scale would be quite impracticable, and therefore, speaking generally, taxes on income or on property should not be introduced, except under very peculiar circumstances, and should, if possible, be reserved for a *dernier ressort*, for a means of filling the coffers of the Treasury, when the other and more legitimate sources of revenue may be insufficient, or when money must be had at all hazards.

Much, no doubt, of the influence of a tax on property or income depends on the extent to which it may be carried. Those who might

be tempted to conceal and underrate their incomes, did the tax amount to 10 or 12 per cent., might willingly disclose them were it only 2½ or 5 per cent., and the influence of the tax in forcing capital abroad depends also, in a great degree, on its amount. But how low soever the rate of duty, a great many individuals will always endeavour to evade or elude its pressure; and there is really no method by which to defeat their machinations, except by making them attest the returns of their incomes by oath. This, however, is a very bad species of guarantee, inasmuch as it is respected only by men of integrity, who do not require to be called upon to vouch for the truth of their returns, and is all but wholly disregarded by others. Hence it is that a tax on income or property really operates as a bounty on perjury and fraud, and were it carried to any considerable height, or to 10, 12, or 15 per cent., it would undoubtedly generate the most barefaced prostitution of principle, and would do much to sap that nice sense of honour which is the only sure foundation of national probity and virtue.

But notwithstanding its many and great defects, a moderate income-tax may be occasionally expedient even in time of peace; and this was, perhaps, the case with the existing income-tax. When it was imposed, in 1842, the finances were in a state of the greatest disorder, the revenue being about 2,700,000*l.* a-year short of the expenditure. This deficit had been occasioned partly by the falling off in the post office revenue, consequent on the introduction of the penny postage, and partly and principally by the ill-advised sacrifice of the house-tax, which had produced a revenue of about 1,300,000*l.* a-year. Under these circumstances, Sir Robert Peel had to consider how he might best provide for the deficiency in the public revenue, and how he might, also, realize a surplus to enable him to make those important changes in the excise and customs' duties which he had in contemplation. And as the re-establishment of the house tax would have been a very unpopular, and perhaps even an impracticable measure, he decided upon imposing a tax of 7*d.* in the pound (2*l.* 18*s.* 4*d.* per cent.) on all incomes of above 150*l.* a-year; and by this means repaired the deficiency in the revenue, and produced a fund which enabled him to repeal the duties on glass, cotton, sheeps' wool, &c., and to effect other important reforms.

But though, taking the circumstances into account, the imposition of the existing income-tax was probably the best plan that could have been adopted, it certainly is a tax that should not be retained a moment after it can be dispensed with. It is indebted for its easy working solely to its moderation, and especially to the exemption in favour of incomes under 150*l.* But this exemption is founded on a very questionable and easily-abused principle, and any attempt to increase the tax, to carry it up to 7½ or 10 per cent., would so aggravate its pressure and disclose its bad qualities that it is doubtful whether it would be submitted to. The notion that it is possible really to improve the condition of the bulk of the people by repealing the excise and customs' duties that fall on articles of general consumption, and replacing them by a proportionally increased income-tax, is contradictory and absurd. To show its operation, suppose that the attempt is made, and observe what the result would be: a manufacturer employs a certain

number of men, who pay amongst them, say 1,000*l.* a-year in taxes on commodities. Now, if the taxes that are at present paid by the labourers be repealed, it follows that those imposed on their employers must be equally increased; so that the manufacturer in question having 1,000*l.* more to pay in taxes after the change takes place, will of course have 1,000*l.* less to lay out on wages. More cannot be required to show how futile it is to attempt to improve the condition of the labourers by diminishing the taxes that fall on them to increase those falling on their employers, or on those who buy the produce of their industry.

Direct taxes on property have been the curse of every country into which they have been introduced. To evade them, people that are not poor counterfeit poverty; some of the most powerful incentives to industry and economy are in consequence destroyed, at the same time that inferior stock, machinery, &c. are made use of. But how objectionable soever, taxes on income are decidedly preferable to taxes on property only: both are bad, but the former are the least mischievous of the two.

In order to furnish the means of defraying the cost of the war begun in 1793, Mr. Pitt proposed in 1797 to treble the amount of the assessed taxes, or duties on houses, windows, horses, carriages, &c.; but this plan not having answered the expectations of its projectors, it was next year abandoned, and a tax on income substituted in its stead. According to the provisions of the Act imposing this tax, all incomes of less than 60*l.* a-year were exempted from assessment; an income of from 60*l.* to 65*l.* was taxed one hundred and twentieth part; and the rate of duty increased through a variety of gradations until the income reached 200*l.* or upwards, when it amounted to a tenth part, which was its utmost limit; a variety of deductions being at the same time granted on account of children, &c. The commissioners, to whom the assessment of this tax was entrusted, were chosen by the freeholders of counties and the electors of boroughs, nearly in the same way as their representatives in Parliament, only that a smaller qualification was sufficient to enable any one to be elected a commissioner. The services of the commissioners were gratuitous; and they were sworn to secrecy with respect to the affairs of individuals. They were authorized to call for returns from every person whose income they supposed to exceed 60*l.* a-year; and in the event of their being dissatisfied with these returns they were empowered to call for written explanations, and ultimately for the oath of the party. But this examination was rarely necessary, except in the case of incomes derived from wages, from capital employed in manufacturing and commercial businesses, or from the interest of loans; the rental of landlords being, in most cases, learned from the terms of the agreements with their tenants; while the profits or incomes of the latter were estimated in England at three-fourths, and in Scotland at half the rent. The commissioners were assisted or rather overlooked, by the tax surveyors, appointed by Government, who were required to see the provisions of the Act strictly enforced, and whose duty it was to scrutinize all returns of income, to challenge such as they considered fraudulent, to object to the deductions allowed by the ordinary commissioners, and to bring the matter under the review of the commis-

sioners of appeal, whose sentence was final. Infinite fraud and evasion were practised, and nothing could be more arbitrary than the rule for estimating farmers' incomes. But the exigencies of the country at the time made this and its other defects be little thought of; and on the whole the provisions of the Act were enforced better than could have been anticipated.

This tax was repealed in 1802, after the peace of Amiens, having produced, at an average, about five millions and a half annually.

In 1803 the income-tax, under the name of property-tax, was again revived. The assessment began as before, on incomes as low as 60*l.* a-year, and gradually increased until the income reached 150*l.* a-year, when it amounted to 5 per cent., which was its highest rate. An addition was made to this tax in 1805; and in 1806, during the short-lived administration of Mr. Fox and Lord Grenville, the assessment was raised to 10 per cent. on all incomes, however small, arising from land or capital. Professional incomes under 50*l.* were exempted from the tax, and incomes of that sort exceeding 50*l.* and under 150*l.*, the limit at which they became subject to the full assessment of 10 per cent., were allowed deductions, varying inversely as their magnitude. This tax was finally repealed in 1816, and would hardly have been submitted to, but for the well-founded conviction that it was indispensable for carrying on the desperate struggle in which we were then engaged. We subjoin from a Parliamentary paper, presented to the House of Commons in 1823, a return of the total gross and nett assessment to the property or income-tax, for the year ending 5th April, 1815.

	Gross Assessment.	Nett Assessment.
	£.	£.
A. Lands, Houses, Manors, Tithes, Canals, Mines, Ironworks, &c.	5,923,486	5,923,189
B. Profits from the occupancy of Lands, &c.	2,734,451	2,176,228
C. Dividends on Public Annuities and other Securities	2,885,505	2,885,505
D. Profits and gains of Trade	3,831,088	3,146,332
E. Salaries, Pensions, &c.	1,174,456	1,167,678
Total	16,548,986	15,298,932

The following is the return of the value of the several species of property on which the assessment was made for the years 1813 and 1814, ending 5th April, 1814 and 1815, viz.:—

Schedules.	1813	1814
	£.	£.
A.	56,701,923	60,138,330
B.	36,336,883	38,396,144
D.	36,080,167	38,310,935
E.	11,380,748	11,744,557
C. Not stated, but estimated at	30,000,000	30,000,000
Totals	170,499,721	178,589,966

The present Income-tax Act charged under the 5 and 6 Victoria, c. 35, (22 June, 1842) imposes a duty of 7*d.* per pound sterling, (2*l.* 18*s.* 4*d.* per cent.,) on all incomes, from whatever source derived, of 150*l.* a-year and upwards. The incomes or profits of the occupiers of land, &c. are assumed by the Act to amount in England to a half, and in Scotland to a third part of the rent; and are assessed on that hypothesis. We subjoin an official

Return of the Nett Amount of Duty Collected under each Schedule of the Property Tax Act during the Year ended the 5th of April, 1843.

	£.	s.	d.
Schedule A.	2,150,412	10	9
,, B.	298,763	0	0
,, C.	812,982	13	1
,, D.	1,466,985	9	8
,, E.	260,657	11	3
Total for England and Wales	4,989,801	4	9
Total for Scotland	394,324	10	3*
Grand Total for Great Britain	5,384,125	15	0

Schedule A. comprises in this, as in the former Act, the assessment upon lands, houses, tithes, manors, mines, quarries, canals, ironworks, &c. Taking the returns as they stand, they must have been assessed in England and Wales as follows:—

	£.
Schedule A., having produced 2,150,412*l.* 10*s.* 9*d.*, at 7*d.* per pound, must have been assessed on	73,728,430
,, B., 298,763*l.*, at 7*d.* per pound, must have been assessed on	10,243,303
,, C., 812,982*l.* 13*s.* 1*d.* ditto ditto	27,873,691
,, D., 1,466,985*l.* 9*s.* 8*d.* ditto ditto	50,296,645
,, E., 260,657*l.* 11*s.* 3*d.* ditto ditto	8,936,830
	171,078,899

The rents payable by the occupiers assessed under Schedule B must have amounted (as they were charged only on the half) to 20,486,606*l.* And we have already seen that the total landed rental of England and Wales at the present moment is about double that amount (see vol. i. p. 553). By far the greatest increase since 1815 has been in houses, warehouses, factories, and property of that description.

Of the total amount of income assessed to the tax, the portion charged under Schedules C and E, amounting to 36,810,521*l.*, consisting principally of dividends on the public debt, and of salaries and pensions to public servants, is of quite a different character from the other portions, and is not to be regarded in the same point of view. It is not an original or independent, but a secondary or derivative income, and consists, in fact, of a portion of the income of others transferred to the holders by means of taxation.

Land Tax.—The circumstances that gave rise to this tax have been already noticed.—(*Ante*, p. 393.) The valuation according to which it is now assessed, was fixed in 1692; when it was found that a charge

* The amount of duty collected in Scotland is not distinguished in schedules.

of 1*s.* per pound on the rental of the country produced nearly 500,000*l.* No subsequent change has been made in this valuation. The tax, which was annually voted, usually amounted to 4*s.* per pound of the valued rent. In 1798 it was made perpetual at that rate, leave being, at the same time, given to the proprietors to redeem it.

The land tax has always been very unequal. When imposed, the proprietors friendly to the Revolution returned their estates at a much higher value than those attached to the House of Stuart. The different degrees of improvement that have since taken place in the various districts of the country have, in some instances, tended to correct the inequalities in the original imposition of the tax, but their more common effect has been to increase them.

Assessed Taxes.—These form the fourth great head of revenue. They include the duties on windows, servants, horses, dogs, carriages, armorial bearings, game, &c. The house duty, that used to be one of the principal items in the assessed taxes, was repealed in 1833. A hearth-tax, or duty proportioned to the number of fire-places in a house, was established in this country at a very early period. But, owing to its being necessary to the assessment of the tax that the government officers should be admitted to view the inside of each house, the hearth tax became exceedingly unpopular, and was repealed by the stat. 1 Will. and Mary, c. 10. This statute declares hearth-money to have been, "not only a great oppression to the poorer sort, but a badge of slavery upon the whole people, exposing every man's house to be entered into, and searched at pleasure, by persons unknown to him; and, therefore, to erect a lasting monument of their majesties' goodness in every house in the kingdom, the duty of hearth-money was taken away and abolished."

But, six years afterwards, "the prospect of this monument of goodness was," to use Blackstone's words, "somewhat darkened," by the passing of an act (7 Will. III. c. 18) laying a duty on all inhabited houses, except cottages, and also on windows. These duties were afterwards considerably increased. They have, however, been materially modified within the last few years; and the existing window tax cannot, nor could the house tax, previously to its repeal, be said to be oppressive. Indeed, out of 2,850,937 inhabited houses in Great Britain, in 1831, only 442,482, or not *a sixth part* of the entire number, paid duty in 1833. All houses below 10*l.* a-year of rent were exempted from the duty; the rate of charges on those that were assessed being 1*s.* 6*d.* per pound on houses worth from 10*l.* to 20*l.* a-year; 1*s.* 3*d.* per pound on those worth from 20*l.* to 40*l.*; and 2*s.* 10*d.* per pound on those worth 40*l.* and upwards. The assessed taxes do not extend to Ireland. The cost of their collection amounts to rather more than 5 per cent.; but latterly it has been mixed up with the expense of collecting the property tax, which is much less considerable.

The house tax being assessed according to the rent, it frequently happened that private houses, shops, and taverns in towns, were assessed in a larger sum than the finest houses of the nobility and gentry in the country. There was not, however, any injustice in this; for, in point of fact, had any attempt been made to let the latter, they would rarely have found a tenant, or brought any rent. This apparent in-

equality afforded, however, a convenient topic for declamation, and for raising an outcry against the tax, which was, in consequence, repealed in 1834.

The real cause of the unpopularity of the house tax, and, indeed, of all the other assessed taxes, consists in their being direct; and, consequently admitting no disguise or concealment. Where duties are laid on imported articles, or on articles produced at home, through the intervention of the customs or excise, the duty is confounded with, and appears to form part of, the natural price of the commodity. No separate demand being made upon the consumer for the duty, it escapes his recollection, so that the article he receives seems the full equivalent of what he pays. But the assessed taxes cannot be so mixed up with other things. And as every one has an extreme repugnance to part with money without receiving some tangible, or sensible equivalent, such taxes are always very unpopular, and seldom escape being considered as oppressive, even when they happen to be most moderate.

Revenue and Rates of Postage.—In 1838 the post-office of the United Kingdom produced a gross revenue of 2,346,278*l.*, and a nett revenue, after deducting the expense of collection, of 1,676,522*l.* This large revenue was derived from rates of postage, varying with the distance according to which letters were conveyed, but so that at an average they amounted to about 7*d.* or 7½*d.* for a single letter. But the fact that the post-office revenue had continued nearly stationary during the twenty years ending with 1838, notwithstanding the vast increase in that period of population and of the intercourse between the different parts of the empire, was a conclusive proof that the rates of postage had been carried to a vicious excess; and that in the arithmetic of the post-office, as well as of the customs, two and two, instead of always making four, sometimes make only one. The effectual reduction of these rates was, therefore, urgently required, not only because of the importance to a commercial and manufacturing community of having the charge for the conveyance of correspondence fixed at a moderate amount, but because it was all but certain that moderate rates of postage would be more productive of revenue. It did not, however, follow that because an average charge of 7*d.* or 7½*d.* each on all letters conveyed by post was very decidedly too much, that the plan for making an invariable charge of 1*d.*, whether a letter were conveyed one mile or 1,000 miles, or by itself or with 50,000 others, should have been adopted. This was to rush from one extreme to another, and to endanger a considerable amount of revenue, without any equivalent advantage. It must, no doubt, be admitted that the proposal for a uniform penny rate of postage had many recommendations in its favour. Being calculated at once to obviate trouble and save expense, it could not fail to be acceptable (what reduction of taxation is not?) to a large portion of the public, particularly to persons engaged in business. We believe, however, that the scheme was more indebted for its popularity to the oppressiveness of the old rates of postage than to any intrinsic merits of its own. Had these been reduced four or five years previously to a reasonable amount, that is, had letters of 1 oz. weight coming from Scotland or Ireland to London been reduced to 6*d.*, and

other letters in proportion, and mercantile circulars been allowed to pass under covers open at the ends at 1*d.* or 2*d.* each, we venture to say that the clamour for a uniform rate of penny postage would not have made any way. But in this, as usually happens on similar occasions, those who delay to make reasonable and necessary concessions at the outset are in the end compelled to concede a great deal more than would at first have been satisfactory. This, at all events, has been eminently true in the present instance. The clamour for a uniform penny rate became too powerful to be resisted; and parliament, whether it were so inclined or not, was obliged to lend its sanction to the measure. And under the provisions of the Act 2 and 3 Vict., cap. 52, it has been enacted that all inland letters, without regard to the number of enclosures, or the distance conveyed, provided they be paid when posted or despatched, shall, if not exceeding ½ oz. weight, be charged 1*d.*; 1 oz. 2*d.*; 2 oz. 4*d.*; 3 oz. 6*d.*; and so on; 2*d.* being added for every additional ounce up to 16 oz., beyond which (with the following exceptions) no packet, whether subject to postage or not, is received:—

1. Parliamentary petitions and addresses to Her Majesty.
2. Parliamentary proceedings.
3. Letters and packets addressed to or received from places beyond sea.
4. Letters and packets to and from public departments, and to and from public officers that formerly franked by virtue of their offices.
5. Deeds, if sent open, or in covers open at the sides. They may be tied with string and sealed, in order to prevent inspection of the contents; but they must be open at the sides, that it may be seen that they are entitled to the privilege.

With these exceptions, all packets above the weight of 16 oz. will be immediately forwarded to the Dead Letter Office.

All parliamentary and official franking has been put an end to; but members of either house of parliament are entitled to receive petitions to parliament free of charge, provided such petitions be sent in covers open at the ends, and do not exceed 6 oz. weight.

To facilitate the working of the plan, envelopes and stamps for letters of different weights are furnished by the post-office, and have been widely distributed.

Such are the more prominent features of the new system; and none can deny that it has the recommendations of simplicity and cheapness in its favour, and that it has greatly facilitated correspondence. But it may nevertheless be doubted whether its adoption was expedient. It is certainly very convenient for merchants, bankers, middlemen, and retail dealers, to get letters for 1*d.* that previously cost them 7*d.* or 7½*d.*; but their satisfaction is not the only thing to be attended to in forming a fair estimate of the measure. The public exigencies require that a sum of more than fifty millions a year should be raised one way or other; and so long as we are pressed by an unreasoning necessity of this sort, it is not much to say in favour of the repeal or diminution of any tax, that those on whom it fell with the greatest severity are

delighted with the reduction. Sugar has in England become a necessary of life, and its consumption, to say the least of it, is quite as indispensable to the bulk of the people, and especially to the labouring classes, as the writing of letters. But would it, therefore, be a wise measure to repeal the duty on sugar, or to reduce it to 1*s.* a cwt.? It has been alleged, indeed, that taxes on the transmission of letters are objectionable on principle, and should therefore be repealed, independently altogether of financial considerations. But it is easier to make an allegation of this sort than to prove it. All taxes, however imposed, if they be carried (as was the case with the old rates of postage) beyond their proper limits, are objectionable; but provided these be not exceeded, we have yet to learn why a tax on a letter should be more objectionable than a tax on the paper on which it is written, on the food of the writer, or on fifty other things. But whether the measure were originally judicious or otherwise, any proposal for its modification would now be exceedingly unpopular, and would have but little chance of being adopted.

The nett post-office revenue of the United Kingdom, after deducting the expenses of collection, amounted, in 1845, to 760,588*l.*, of which above 50,000*l.* was derived from the commission on money orders. The expenses of collection in Great Britain were 55*l.* 14*s.* 6½*d.* per cent., and in Ireland 81*l.* 6*s.* per cent. of the gross receipts!

Collection of Taxes.—Taxes in Great Britain are almost wholly collected by government officers, paid by salaries. The customs' duties, the excise duties, and the duties on stamps, with the assessed taxes, are each under the management of a particular department, having at its head a board of commissioners with various classes of inferior officers. The post office revenue is managed by a postmaster-general, and a principal secretary. The heads of the different revenue departments correspond with, and receive their instructions from, the treasury, to which is committed the charge of supervising, controlling, and regulating all matters connected with the assessment and collection of taxes. The number of commissioners in the different revenue boards was formerly much greater than at present; and it is contended by some very high authorities that their number might still be advantageously reduced; and that the whole responsibility should rest with the head of each department. Various reforms and retrenchments have been also introduced into the subordinate departments, and not a few abuses have been rectified in the assessment and collection of most duties. Perhaps the only very material reforms that need now to be looked for in this department must arise rather from changes and modifications of duties, than from any changes in the plans under which they are charged and collected. The reduction of the existing duties on silks, tobacco, and tea, by taking away an overwhelming temptation to their clandestine importation, would enable a large saving to be effected in the customs' department, at the same time that it would be productive of various other beneficial consequences. In the excise there remains little to be amended; the system having received nearly all the perfection of which it seems capable.

I. *Gross Public Income of the United Kingdom in* 1843, 1844, *and* 1845.—(Parl. Paper, *No.* 517, *Sess.* 1846.)

Income.	1843		1844		1845	
Customs and Excise.	£.	£.	£.	£.	£.	£.
Spirits { Foreign	1,210,154	. .	1,201,915	. .	1,247,168	
Spirits { Rum	961,706	. .	1,026,047	. .	1,152,302	
Spirits { British	4,053,223	. .	3,241,457	. .	3,751,048	
Malt	4,659,633	. .	4,752,296	. .	4,915,004	
Hops	308,366	. .	244,322	. .	257,447	
Wine	1,703,721	. .	1,722,791	. .	1,891,394	
Sugar and Molasses	5,220,406	. .	5,493,959	. .	5,743,361	
Tea	4,407,642	. .	4,524,693	. .	4,853,351	
Coffee	677,376	. .	681,607	. .	717,871	
Tobacco and Snuff	3,711,227	. .	3,752,422	. .	4,202,131	
		27,925,650		29,040,920		28,719,173
Butter	151,614	. .	168,243	. .	285,105	
Cheese	90,283	. .	115,572	. .	140,576	
Currants and Raisins	482,942	. .	411,089	. .	405,268	
Corn	738,279	. .	1,098,383	. .	867,031	
Cotton Wool and Sheep's imported	843,244	. .	719,489	. .	82,798	
Silks	263,940	. .	325,960	. .	328,955	
Hides and Skins	27,871	. .	29,323	. .	6,909	
Paper	642,339	. .	672,797	. .	725,346	
Soap	893,170	. .	926,747	. .	964,692	
Candles and Tallow	194,735	. .	174,373	. .	185,971	
Coals, sea-borne	131,304	. .	117,183	. .	16,397	
Glass	5 9,444	. .	671,801	. .	83,052	
Bricks, Tiles, and Slates	355,291	. .	489,975	. .	561,867	
Timber	667,536	. .	928,345	. .	1,064,109	
Auctions	282,863	. .	305,341	. .	82,718	
Excise Licences	1,019,947	. .	1,035,639	. .	1,069,338	
Post-horse Duties	166,484	. .	167,742	. .	176,018	
Miscellaneous of Customs and Excise	1,069,969	. .	1,207,751	. .	1,092,506	
		8,641,222		9,585,758		7,629,077
Total Customs and Excise	. .	36,569,881	. .	38,576,684	. .	36,339,150
Stamps.						
Deeds and other Instruments	1,622,557	. .	1,802,819	. .	2,123,071	
Probates and Legacies	2,143,127	. .	2,178,843	. .	2,322,894	
Insurance { Marine	253,520	. .	192,724	. .	146,145	
Insurance { Fire	907,339	. .	1,003,767	. .	1,032,180	
Bills of Exchange, Bankers' Notes	673,673	. .	671,766	. .	659,881	
Newspapers and Advertisements	391,653	. .	415,740	. .	477,697	
Stage Coaches	338,928	. .	407,945	. .	431,371	
Receipts	174,756	. .	176,582	. .	181,392	
Other Stamp Duties	441,190	. .	477,616	. .	491,327	
		7,076,752		7,327,803		7,871,968
Assessed and Land Taxes.						
Land Taxes	1,159,149	. .	1,164,042	. .	1,161,312	
Windows	1,545,281	. .	1,534,910	. .	1,093,785	
Servants	200,252	. .	200,458	. .	201,646	
Horses	376,102	. .	374,657	. .	307,122	
Carriages	423,804	. .	424,077	. .	421,127	
Dogs	151,857	. .	150,722	. .	148,334	
Additional 10 per Cent.	289,408	. .	279,618	. .	291,843	
Other Assessed Taxes	234,220	. .	251,376	. .	316,576	
		4,385,068		4,429,870		4,441,745
Property and Income Tax	. .	5,337,455	. .	5,321,601	. .	5,182,649
Post Office	. .	1,545,216	. .	1,705,068	. .	1,675,437
Crown Lands	. .	409,877	. .	441,5·3	. .	447,408
Other Ordinary Revenue and other Resources	. .	256,065	. .	394,598	. .	800,966
Money from China, under Treaty of August, 1842	. .	1,315,208	. .	365,003	. .	1,142,924
Total Income	. . £	56,935,022	£	58,590,217	£	57,602,268

N.B. See *ante*, pp. 22—26, for an account of the quantities of the different articles of foreign and colonial produce imported into, and exported from, the United Kingdom in 1843 and 1844, of the quantities of such produce entered for home consumption, and the nett revenue accruing thereon in each of these years. See also page 27 for an account of the gross and nett customs' duty collected at each custom-house of the United Kingdom, in 1843 and 1844.

II. *Account of the Rates of Customs' Duty imposed on the principal Articles brought from Foreign Countries, subject to Duties on their Importation into the United Kingdom, on the 1st of January*, 1847.

Articles.	Rates of Duty. £.	s.	d.
Books, being of editions printed prior to 1801, bound or unbound . . . per cwt.	1	0	0
—— Being of editions printed in or since 1801, bound or unbound . . ,,	5	0	0
—— In the Foreign living languages, being of editions printed in or since 1801, bound or unbound. . . . ,,	2	10	0
Butter . . . . . ,,	0	10	0
Cassia Lignea . . . . . per lb.	0	0	3
Cheese . . . . . per cwt.	0	5	0
Chicory . . . . . per lb.	0	0	6
Cinnamon . . . . . ,,	0	0	6
—— Of and from British possessions . ,,	0	0	3
Cocoa . . . . . ,,	0	0	2
—— Husks and Shells . . . . . ,,	0	0	1
Coffee . . . . . ,,	0	0	6
—— Of and from British possessions . ,,	0	0	4
Corn or Grain :—			
—— Wheat. Whenever the average price of Wheat shall be under 48s. per quarter, the duty shall be . . . . . per quarter	0	10	0
48s. and under 49s. . . . ,,	0	9	0
49s. ,, 50s. . . . ,,	0	8	0
50s. ,, 51s. . . . ,,	0	7	0
51s. ,, 52s. . . . ,,	0	6	0
52s. ,, 53s. . . . ,,	0	5	0
53s. and upwards . . . ,,	0	4	0
—— Barley, Bear, or Bigg :—			
Under 26s. per quarter . . ,,	0	5	0
26s. and under 27s. . . . ,,	0	4	6
27s. ,, 28s. . . . ,,	0	4	0
28s. ,, 29s. . . . ,,	0	3	6
29s. ,, 30s. . . . ,,	0	3	0
30s. ,, 31s. . . . ,,	0	2	6
31s. and upwards . . . ,,	0	2	0
—— Oats :—			
Under 18s. per quarter . . ,,	0	4	0
18s. and under 19s. . . . ,,	0	3	6
19s. ,, 20s. . . . ,,	0	3	0
20s. ,, 21s. . . . ,,	0	2	6
21s. ,, 22s. . . . ,,	0	2	0
22s. and upwards . . . ,,	0	1	6
—— Rye, Peas, and Beans. Duty per quarter equal to that on Barley.			
—— Wheat-meal and Flour. Duty per barrel of 196 lbs. equal to that on 38⅔ gallons of Wheat.			
—— Barley-meal. Duty on every quantity of 217½ lbs. equal to that on a quarter of Barley.			
—— Oatmeal and Groats. Duty on every quantity of 181¼ lbs. equal to that on a quarter of Oats.			
—— Rye-meal and Flour. Duty per barrel of 196 lbs. equal to that on 40 gallons of Rye.			
—— Pea-meal and Bean-meal. Duty on every quantity of 272 lbs. equal to that on a quarter of Peas or Beans.			
Currants . . . . . per cwt.	0	15	0
Eggs . . . . . per 120	0	0	10
Figs . . . . . per cwt.	0	15	0
Ginger . . . . . ,,	0	10	0
Gloves (of leather), Habit Gloves per doz. pairs	0	3	6

Articles.	Rates of Duty. £.	s.	d.
Gloves, Habit Mitts . . . . per doz. pairs	0	2	4
—— Men's Gloves . . . . ,,	0	3	6
—— Women's ditto, or Mitts . ,,	0	4	6
Hats or Bonnets of Bast, Cane, or Horse-hair, each not exceeding 22 inches in diameter . . . . . per doz.	0	7	6
—— Exceeding 22 inches in diameter. ,,	0	10	0
—— Chip . . . . . per lb.	0	3	6
—— Straw . . . . . ,,	0	5	0
—— Of Felt, Hair, Wool, or Beaver . each	0	2	0
—— Of Silk, or Silk Shag laid upon Felt, Linen, or other material . ,,	0	2	0
Isinglass . . . . . per cwt.	0	5	0
Maize, or Indian Corn . . . . per qr.	0	1	0
—— Meal . . . . . per cwt.	0	0	4½
Mats and Matting . . . for every 100l. value	5	0	0
Nuts, small . . . . . per bushel	0	2	0
—— Walnuts . . . . . ,,	0	2	0
Oranges and Lemons per chest or box, according to capacity	From 0	2	6 to 0 15 0
Platting, of Bast, Cane, or Horse-hair. per lb	0	10	0
—— Of Straw . . . . . ,,	0	5	0
Prunes . . . . . per cwt.	0	7	0
Raisins . . . . . ,,	0	15	0
Rice . . . . . ,,	0	1	0
Sago . . . . . ,,	0	0	6
Smalts . . . . . ,,	0	10	0
Spirits, Brandy, Genova, &c. . . per gall.	0	15	0
—— Rum . . . . . ,,	0	8	10
Starch . . . . . per cwt.	0	5	0
Sugar or Molasses, the produce of any British Possession in America, or within the limits of the East India Company's charter, viz. :—			
—— Candy, Brown, or White, Double refined Sugar, or equal in quality to Double refined . per cwt.	1	1	0
—— Other refined Sugar, or Sugar rendered equal in quality thereto ,,	0	18	8
—— White Clayed Sugar, or Sugar rendered equal in quality thereto, not being refined . . . . . ,,	0	16	4
—— Brown Sugar, being Muscovado or Clayed, or any other Sugar not equal in quality to White Clayed . . . . . ,,	0	14	0
—— Molasses . . . . . ,,	0	5	3
The duties on Foreign Sugars vary till the 5th July, 1851, when they are to be the same as on those of the British Colonies.			
Tallow . . . . . per cwt.	0	1	6
Tapioca . . . . . ,,	0	0	6
Tea . . . . . per lb.	0	2	1
Tobacco, unmanufactured . . . ,,	0	3	0
—— Manufactured, or Segars . ,,	0	9	0
—— Snuff . . . . . ,,	0	6	0
Tongues . . . . . per cwt.	0	7	0
Wine, the produce of the Cape of Good Hope . . . . . per gall.	0	2	9
—— French, Canary, Madeira, Portugal, Rhenish, Spanish, &c. . ,,	0	5	6
Wood, varying rates of duty.			

III. *An Account of the several Articles charged with Duties of Excise in England, together with the Gross Amount of Duty thereon, during the Years* 1842, 1843, *and* 1844.—(*This and the following Accounts are from* Papers published by Board of Trade.)

Articles.		Quantities Charged.			Amount of Duty.								
		1842	1843	1844	1842			1843			1844		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
Auctions; Amount of Sales charged with Duty	£.	6,831,731	6,667,183	7,522,463	260,260	4	8½	251,262	11	5½	274,685	0	6
Bricks	No.	1,271,872,112	1,158,857,107	1,420,730,745	350,210	12	7½	355,464	8	4½	435,735	15	5½
Glass, Crown	Cwts.	93,038	97,202	106,600	350,075	10	7	375,002	0	1½	411,342	14	11½
,, Flint	,,	78,063	76,834	85,082	71,602	2	1½	73,347	17	3½	55,272	1	2½
,, Plate	,,	21,528	20,923	20,765	67,013	4	0	65,909	3	3½	93,750	15	0
,, German Sheet	,,	25,500	29,154	24,140	99,326	2	5½	112,498	6	1½	93,150	4	6
,, Bottle	,,	292,972	253,529	345,810	107,007	6	7	93,171	18	10½	127,045	3	6
Hops	lbs.	35,432,142	27,802,720	29,285,093	310,031	5	0	243,796	8	1½	256,243	0	5½
Licences, viz.—													
Auctioneers'	No.	3,287	3,269	3,266	17,256	15	0	17,168	5	0	17,146	10	0
Brewers of Strong Beer not exceeding 20 Barrels	,,	8,059	8,166	7,920	4,220	19	6	4,255	18	0	4,105	10	0
Exceeding 20, and not exc. 50	,,	8,815	8,724	8,401	9,255	15	0	9,160	4	0	8,821	1	0
,, 50, ,, 100	,,	9,676	9,637	9,404	15,239	14	0	15,257	0	6	14,811	6	0
,, 100, ,, 1,000	,,	15,217	15,007	16,129	31,935	14	0	32,774	14	0	33,870	18	0
,, 1,000 Barrels	,,	1,494	1,488	1,502	14,208	9	6	14,208	1	6	14,487	4	0
Brewers of Table Beer	,,	165	232	217	71	8	0	150	12	0	107	9	6
Retail Brewers, under the Act 5 Geo. IV. c. 54	,,	12	11	12	66	3	0	60	12	9	66	3	0
Sellers of Strong Beer only, not being Brewers	,,	997	1,041	1,021	3,297	7	4	3,440	12	8	3,376	14	10½
Beer Retailers, whose Premises are rated under 20l. per annum	,,	39,552	39,614	39,672	43,589	12	0	43,657	18	7	43,721	17	0
Ditto ditto 20l. and upwards	,,	18,133	18,243	18,423	59,997	13	1	60,351	0	2	60,930	4	8½
Retailers of Beer, Cider, or Perry, under the provisions of the Acts 1 Wm. IV. c. 64, and 4 & 5 Wm. IV. c. 85 (to be drunk on the premises)	,,	31,307	31,218	31,745	102,541	7	6½	103,227	3	9	104,989	10	5½
Ditto ditto, under the same Acts (not to be drunk on the premises)	,,	4,512	4,195	3,945	4,818	6	1½	4,823	4	9½	4,347	14	4½
Ditto of Cider and Perry only, under the Act 1 Wm. IV. c. 64	,,	700	903	889	771	9	1½	995	3	7½	979	15	0½
Tea and Coffee Dealers	,,	82,895	85,585	86,695	47,897	6	5	49,389	18	0½	51,184	8	1½
Glass Manufacturers	,,	110	107	115	2,310	0	0	2,247	0	0	2,415	0	0
Maltsters	,,	8,952	8,725	8,406	18,315	13	5½	18,256	12	1½	18,284	16	3
Paper-makers	,,	364	354	359	1,523	16	0	1,486	16	0	1,547	16	0
Soap-makers	,,	160	161	164	672	0	0	676	4	0	693	16	0
Distillers and Rectifiers	,,	97	93	93	1,018	10	0	997	10	0	997	10	0
Dealers in Spirits, not being Retailers	,,	2,778	2,724	2,755	29,169	0	0	28,602	0	0	28,927	10	0
Roasters of Malt	,,	12	12	11	240	0	0	240	0	0	220	0	0
Dealers in Roasted Malt	,,	15	15	17	150	0	0	150	0	0	170	0	0
Retailers of Spirits, whose Premises are rated under 10l. per annum	,,	15,301	15,250	15,125	33,725	19	1	33,613	10	10	33,338	0	5
Do. do. at 10l. and under 20l.	,,	19,698	19,723	19,873	86,855	17	4	86,966	2	0½	87,627	10	2½
Do. do. 20l. ,, 25l.	,,	3,365	3,350	3,408	22,258	1	5½	22,423	8	9	22,542	10	0
Do. do. 25l. ,, 30l.	,,	2,344	2,372	2,394	18,047	17	4	18,259	4	0	18,473	14	0
Do. do. 30l. ,, 40l.	,,	3,704	3,736	3,754	32,693	16	1½	32,759	14	10	33,109	9	11½
Do. do. 40l. ,, 50l.	,,	2,326	2,322	2,354	23,117	19	3½	23,038	11	10½	23,355	1	10½
Do. do. 50l. and upwards	,,	6,194	6,221	6,332	68,238	17	0	68,596	10	0	69,910	6	0
Retailers of Sweets	,,	2,969	3,181	3,437	3,272	1	8	3,505	14	0½	3,787	17	2½
Manufacturers of Tobacco & Snuff	,,	333	366	367	4,063	10	0	4,352	5	0	4,383	15	0
Dealers in Tobacco and Snuff	,,	158,622	160,741	164,176	41,633	10	9	42,194	10	3	43,056	4	0
Vinegar-makers	,,	43	44	50	252	0	0	231	0	0	262	10	0
Dealers in Foreign Wine, not having a Licence to retail Beer or Spirits	,,	1,662	1,726	1,698	17,664	0	0	18,123	0	0	17,929	0	0
Ditto, having a Licence to retail Beer, but not having a Licence to retail Spirits	,,	51	45	46	224	17	6	198	8	5½	202	16	7½
Ditto, having a Licence to retail Beer and Spirits	,,	22,116	22,031	22,140	48,747	7	0	48,559	19	11	48,800	5	0
Passage-Vessels on board which Liquors and Tobacco are sold	,,	261	252	252	274	1	0	264	12	0	264	12	0
Licences to let Horses for Hire	,,	10,264	10,708	11,200	3,849	0	0	4,015	10	0	4,200	0	0
Surcharges	£.	..	..	..	2,400	14	6	2,373	11	11½	2,748	17	11½
Amount of Duty on Licences granted for Periods less than a Year	,,	..	..	..	9,030	13	2½	9,420	6	4	8,822	5	0½
Malt from Barley	Bushels	30,726,220	30,891,000	31,036,563	4,176,745	16	1½	4,189,502	0	9	4,220,546	8	4½
Paper of all Kinds	lbs.	75,574,227	79,127,304	84,210,390	515,035	17	4½	519,338	11	0½	552,601	1	8½
Soap, Hard	,,	144,614,796	153,542,196	158,955,638	940,634	12	1½	1,007,627	4	8½	1,043,146	7	7½
,, Soft	,,	8,190,701	10,700,909	12,201,897	35,528	1	3½	46,816	9	6½	58,363	0	0
Spirits	Galls.	7,936,054	7,724,051	8,234,440	3,110,121	3	0	3,025,253	6	2	3,225,155	18	4
Sugar from Beet-root	Cwts.	3,477	3,843	5,492	4,891	14	4½	4,845	2	6	6,907	6	4½
Sweets and Medicated Spirits, imported from Scotland and Ireland	Gal.	18,965	16,330	20,235	1,181	12	4½	970	6	3	1,227	5	6½
Vinegar	,,	3,097,825	2,922,706	1,414,819	27,106	9	9½	25,573	18	6	12,379	18	3½
Amount of Duty on Horses let for Hire	£.	..	..	..	156,207	1	8½	145,742	12	4½	148,072	8	4½
Total		..	..	..	11,453,236	1	7½	11,369,850	13	6½	11,950,753	1	1

IV. *An Account of the Quantities of the several Articles charged with Duties of Excise in Scotland, together with the Gross Amount of Duty thereon, during the Years* 1842, 1843, *and* 1844.

Articles.		Quantities Charged.			Amount of Duty.		
		1842	1843	1844	1842	1843	1844
					£. s. d.	£. s. d.	£. s. d.
Auctions, Amount of Sales charged with Duty	£.	459,853	524,251	489,079	19,847 3 9½	21,123 14 7½	19,971 18 4
Bricks	No.	31,942,619	25,531,499	37,129,535	9,975 14 4	7,970 13 2	11,491 2 8½
Glass, Crown	Cwts.	4,449	5,020	5,160	17,132 17 0	19,370 16 6	19,911 3 0
,, Flint	,,	5,230	4,117	5,114	5,126 14 6	4,033 18 8½	3,068 12 4½
,, Bottle	,,	80,099	75,760	96,070	33,111 7 3	27,841 18 0½	25,305 14 6
Licences, viz.—							
Auctioneers	No.	893	877	868	2,063 5 0	1,979 5 0	1,932 0 0
Brewers of Strong Beer, not exceeding 20 Barrels	,,	52	64	87	27 6 0	33 12 0	45 13 6
Exceeding 20, & not exceeding 50	,,	17	21	23	17 17 0	22 1 0	24 3 0
,, 50, ,, 100	,,	34	29	29	53 11 0	45 18 6	45 18 6
,, 100, ,, 1,000	,,	157	155	147	329 14 0	325 10 0	308 14 0
,, 1,000 Barrels	,,	78	82	83	722 18 6	706 7 9	734 14 9
Brewers of Table Beer	,,	54	47	31	45 18 6	53 11 0	40 19 0
Retail Brewers under the Act 5 Geo. IV. c. 54.	,,	25	27	31	137 16 3	148 16 9	170 17 9
Sellers of Strong Beer only, not being Brewers	,,	16	17	12	52 18 4	56 4 5½	39 18 9
Beer Retailers whose Premises are rated under 20l. per ann.	,,	14,319	14,396	14,691	15,774 2 4½	15,865 11 10	16,180 14 1½
Ditto ditto at 20l. and upwards	,,	1,127	1,117	1,159	3,727 6 4½	3,694 4 10½	3,826 10 9½
Tea and Coffee Dealers	,,	13,368	13,676	14,279	7,714 9 0	7,892 3 10	8,240 3 5½
Glass Manufacturers	,,	11	9	14	231 0 0	189 0 0	294 0 0
Maltsters	,,	1,822	1,282	1,232	1,438 2 1½	1,432 14 6	1,358 17 9
Paper-makers	,,	44	47	46	184 16 0	197 8 0	193 4 0
Soap-makers	,,	19	18	19	79 16 0	75 12 0	79 16 0
Distillers and Rectifiers	,,	182	186	176	1,911 0 0	1,953 0 0	1,848 0 0
Dealers in Spirits, not being Retailers	,,	420	423	423	4,410 0 0	4,462 10 0	4,441 10 0
Roasters of Malt	,,	1	2	2	15 15 0	40 0 0	40 0 0
Dealers in Roasted Malt	,,	. .	1	1	. .	10 0 0	10 0 0
Retailers of Spirits, whose Premises are rated under 10l. per annum	,,	9,845	9,978	10,190	21,700 0 5	21,982 3 1	22,460 9 2
Do. do. at 10l. and under 20l.	,,	4,068	4,092	4,126	17,937 6 9	17,803 1 1½	18,193 1 7½
Do. do. 20l. ,, 23l.	,,	346	329	344	2,288 12 11	2,176 3 11½	2,275 8 4
Do. do. 23l. ,, 26l.	,,	176	184	193	1,435 6 0	1,419 17 4	1,527 19 0
Do. do. 26l. ,, 40l.	,,	264	209	212	1,799 4 9	1,643 6 8½	1,669 15 11
Do. do. 40l. ,, 50l.	,,	96	96	94	932 9 10	9 2 6 10½	932 13 1½
Do. do. 50l. and upwards	,,	258	283	278	2,944 9 0	2,899 11 6	3,064 19 0
Makers of Stills	,,	9	13	12	4 14 6	6 16 6	6 6 0
Chemists, or any other Trade requiring a Still	,,	48	42	51	22 11 6	22 1 0	26 15 6
Retailers of Sweets	,,	93	76	83	102 9 10½	83 15 2	91 9 5½
Manufacturers of Tobacco and Snuff	,,	127	136	132	903 0 0	924 0 0	913 10 0
Dealers in Tobacco and Snuff	,,	18,717	18,909	14,568	3,600 14 3	3,651 2 3	3,824 2 0
Vinegar-makers	,,	7	7	7	36 15 0	36 15 0	36 15 0
Dealers in Foreign Wine, not having a Licence for retailing Spirits, nor a Licence to retail Beer	,,	26	55	22	273 0 0	577 10 0	231 0 0
Dealers in Foreign Wine, having a Licence to retail Beer, but not having a Licence to retail Spirits	,,	30	25	28	132 5 7½	110 4 8½	123 9 3
Dealers in Foreign Wine, having a Licence to retail Beer and Spirits	,,	2,837	2,801	2,900	6,253 4 5	6,173 17 5	6,392 1 3
Passage-Vessels on board which Liquors and Tobacco are sold	,,	85	78	87	89 5 0	81 18 0	91 7 0
Licences to let Horses for Hire	,,	968	1,026	1,091	363 0 0	384 15 0	409 2 6
Surcharges	£.	. .	. .	. .	89 5 0	71 4 4½	70 17 6
Amount of Duty on Licences granted for Periods less than a Year	,,	. .	. .	. .	2,786 5 9½	3,078 8 7½	3,318 0 5½
Malt from Barley	Bushels	3,469,356	3,509,010	3,515,463	479,331 10 9	448,865 18 3½	476,784 19 6½
,, Bear or Bigg	,,	317,118	308,996	273,979	33,297 11 7½	32,444 13 3½	29,267 18 4½
Paper of all Kinds	lbs.	17,065,666	19,389,215	20,727,452	111,998 8 9	128,534 4 5½	136,693 18 1½
Soap, Hard	,,	10,638,544	11,228,011	11,549,674	71,127 19 2½	73,710 1 10½	75,735 0 8½
,, Soft	,,	4,344,224	4,695,279	5,251,151	19,005 19 7	20,333 1 1½	22,923 15 8
Spirits	Galls.	5,595,186	5,593,791	5,922,949	1,023,784 2 0	1,025,522 12 8	1,085,875 12 8
Vinegar	,,	14,525	16,569	11,585	127 1 10½	162 8 0	101 7 4½
Amount of Duty on Horses let for Hire	£.	. .	. .	. .	16,532 17 3½	16,456 5 5	17,357 4 2½
Total		. .	. .	. .	1,936,045 13 10	1,930,028 10 10½	2,049,635 14 5½

V. *An Account of the Quantities of the several Articles charged with Duties of Excise, in Ireland, together with the Gross Amount of Duty thereon, during the Years* 1842, 1843, *and* 1844.

ARTICLES.		Quantities Charged.			Amount of Duty.								
		1842	1843	1844	1842			1843			1844		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
Auctions, Amount of Sales charged with duty	£.	488,486	298,845	336,453	16,865	8	7	12,080	4	0½	13,182	5	1½
Glass, Flint	Cwts.	5,355	4,241	4,544	5,250	9	7½	4,070	19	2½	2,917	[illegible]	5
,, Bottle	,,	7,417	6,725	9,400	2,723	17	3½	2,471	8	9	3,454	10	0½
Licences, viz.—													
Auctioneers'	No.	325	309	314	1,706	5	0	1,622	5	0	1,649	10	0
Brewers of Strong Beer, not exceeding 20 Barrels	,,	12	12	4	6	6	0	6	6	0	2	2	0
Exceeding 20 and not exceeding 50	,,	1	1	1	1	1	0	1	1	0	1	1	0
,, 50 ,, 100	,,	2	6	4	3	3	0	9	9	0	6	6	0
,, 100 ,, 1,000	,,	33	33	30	69	6	0	69	6	0	63	0	0
,, 1,000 Barrels	,,	69	66	70	860	17	9	867	16	6	904	15	6
Brewers of Table Beer	,,	3	4	5	3	3	0	5	6	0	7	7	0
Retail Brewers under the Act 5 Geo. IV. c. 54.	,,	1	1	1	5	10	3	5	10	3	5	10	3
Sellers of Strong Beer only, not being Brewers	,,	101	118	131	334	0	8½	390	5	2½	433	5	1½
Beer Retailers whose Premises are rated under 20*l.* per annum	,,	11,836	11,806	12,304	13,068	10	1	13,011	3	11	13,550	0	8
Do. do. at 20*l.* and upwards	,,	1,205	1,212	1,210	3,985	5	0½	4,009	8	9	4,001	16	5½
Tea and Coffee Dealers	,,	8,837	9,301	9,974	5,192	10	9	5,367	9	0½	5,755	16	7
Glass Manufacturers	,,	5	4	4	105	0	0	84	0	0	84	0	0
Maltsters	,,	214	190	194	478	8	1½	474	17	3	510	6	0
Paper Makers	,,	48	50	48	201	12	0	210	0	0	201	12	0
Soap Makers	,,	178	179	179	747	12	0	751	16	0	751	16	0
Distillers and Rectifiers	,,	95	90	94	397	10	0	945	0	0	987	0	0
Dealers in Spirits, not being Retailers	,,	300	307	317	3,150	0	0	3,223	10	0	3,329	10	0
Roasters of Malt	,,	[illegible]	5	7	[illegible]			100	0	0	140	0	0
Retailers of Spirits whose Premises are rated under 10*l.* per annum	,,	8,620	8,613	9,002	18,999	18	4	18,984	9	9	19,841	18	2
Do. do. at 10*l.* and under 20*l.*	,,	2,633	2,625	2,668	11,980	7	0½	11,574	12	2½	11,764	4	3
,, 20*l.* ,, 25*l.*	,,	244	268	270	1,613	19	2	1,772	14	2	1,785	18	9
,, 25*l.* ,, 30*l.*	,,	161	157	167	1,242	7	3	1,211	10	4	1,283	18	3
,, 30*l.* ,, 40*l.*	,,	243	231	237	2,187	6	2	2,213	15	4½	2,090	5	9½
,, 40*l.* ,, 50*l.*	,,	133	140	139	1,310	12	2½	1,339	1	3	1,370	2	9½
,, 50*l.* and upwards	,,	250	229	218	2,756	5	0	2,524	14	6	2,343	6	6
Makers of Stills	,,	3	2	7	1	11	6	1	1	0	3	13	6
Chemists, or any other Trade requiring a Still	,,	27	28	31	14	3	6	14	14	0	16	5	6
Retailers of Spirits in Ireland, being duly licensed to sell Coffee, Tea, &c., whose Premises are rated under 25*l.* per annum	,,	273	270	312	2,706	13	5½	2,760	4	0½	3,095	12	6
Do. do. at 25*l.* and under 30*l.*	,,	59	45	42	626	4	3	496	2	6	462	1	6
,, 30*l.* ,, 40*l.*	,,	40	40	48	483	19	7½	485	1	8	582	3	0
,, 40*l.* ,, 50*l.*	,,	22	29	33	291	0	10	383	12	11	462	0	5
,, 50*l.* and upwards	,,	72	73	75	1,031	18	6	1,046	5	1½	1,074	18	5½
Retailers of Sweets	,,	33	46	32	36	7	4½	50	13	11	35	5	4
Manufacturers of Tobacco and Snuff	,,	225	210	205	2,042	5	0	1,932	0	0	1,953	5	0
Dealers in Tobacco and Snuff	,,	13,028	13,535	14,579	3,422	9	6	3,552	18	9	3,826	19	9
Vinegar Makers	,,	4	3	3	21	0	0	15	15	0	15	15	0
Dealers in Foreign Wine, not having a Licence to Retail Spirits nor a Licence to retail Beer	,,	167	168	170	1,753	10	0	1,764	0	0	1,785	0	0
Dealers in Foreign Wine, having a Licence to retail Beer, but not having a Licence to retail Spirits	,,	230	229	252	1,014	3	1½	1,009	14	11½	1,111	3	3
Dealers in Foreign Wine, having a Licence to retail Beer and Spirits	,,	1,726	1,698	1,765	3,204	7	10	3,731	18	1	3,890	7	1
Passage-Vessels, on board which Liquors and Tobacco are sold	,,	33	29	42	34	18	0	30	9	0	44	2	0
Game Certificates	,,	3,439	3,756	3,706	10,832	17	0	11,831	8	0	11,673	18	0
Licences to let Horses for Hire	,,	[illegible]	[illegible]	24	[illegible]			[illegible]			32	18	1½
Surcharges	£	[illegible]	[illegible]	[illegible]	67	11	10½	163	16	6½	112	7	0½
Amount of Duty on Licences granted for periods less than a Year	,,	[illegible]	[illegible]	[illegible]	2,816	15	1½	7,895	2	0½	8,908	4	8½
Malt from Barley	Bush.	1,136,347	1,067,717	1,277,975	154,117	7	2½	144,809	7	8	173,325	18	8½
,, Bear or Bigg	,,	132,206	116,561	163,198	13,892	5	6½	12,289	0	4½	17,136	0	5½
Paper of all kinds	lbs.	4,053,429	4,723,106	4,557,306	26,600	12	5½	30,995	7	10	29,907	6	5½
Spirits	Galls.	5,2.0,650	5,546,483	6,451,197	904,508	8	0	852,418	11	4	860,151	12	0
Sugar from Beet-root	Cwts.	[illegible]	[illegible]	115	[illegible]			[illegible]			145	10	6½
Vinegar	Galls.	53,312	51,795	58,197	558	13	7	453	4	1½	202	19	6
Total		[illegible]	[illegible]	[illegible]	1,226,779	11	10	1,167,436	3	8½	1,207,431	4	5½

VI. *An Account of the Quantities of the several Articles charged with Duties of Excise in the United Kingdom, together with the Gross Amount of Duty thereon, during the Years* 1842, 1843, *and* 1844.

Articles.		Quantities Charged.			Amount of Duty.					
		1842	1843	1844	1842			1843			1844		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
Auctions, Amount of Sales charged with Duty	£	7,780,075	7,496,284	8,347,995	296,072	12	1	284,421	10	2	308,019	3	11½
Bricks	No.	1,363,814,731	1,184,388,666	1,457,860,280	400,068	6	11½	363,375	1	6½	447,226	18	1½
Glass, Crown	Cwts.	97,495	102,222	111,760	376,208	16	7	394,452	16	7½	431,233	17	11½
,, Flint	,,	83,648	85,242	94,740	81,979	5	0½	83,454	15	2½	91,237	17	0½
,, Plate	,,	21,528	20,923	20,765	67,813	4	0	65,909	3	2½	65,750	15	0
,, German Sheet	,,	25,500	23,154	24,140	98,398	2	5½	112,498	6	1½	93,150	4	6
,, Bottle	,,	390,488	336,014	451,220	143,504	11	1½	123,485	5	7½	165,845	8	0
Hops	lbs.	85,482,142	27,862,730	29,285,093	310,031	5	0	243,796	8	1½	256,243	0	5½
Licences, viz.—													
Auctioneers	No.	4,005	3,955	3,948	21,026	5	0	20,763	15	0	20,727	0	0
Brewers of Strong Beer, not exceeding 20 Barrels	,,	8,122	8,182	7,911	4,264	11	6	4,295	11	0	4,153	5	6
Exceeding 20 and not exceeding 50	,,	8,833	8,746	8,425	9,274	13	0	9,183	6	0	8,846	5	0
,, 50 ,, 100	,,	9,712	9,722	9,437	15,296	8	0	15,312	3	0	14,863	5	6
,, 100 ,, 1,000	,,	15,407	15,795	16,306	32,354	14	0	33,169	10	0	34,242	12	0
,, 1,000 Barrels	,,	1,631	1,636	1,655	15,538	5	9	15,782	5	9	16,010	15	0
Brewers of Table Beer	,,	162	303	233	120	4	6	219	9	0	215	15	6
Retail Brewers, under the Act 5 Geo. IV., c. 54	,,	38	39	48	209	9	6	214	19	9	242	11	0
Sellers of Strong Beer only, not being Brewers	,,	1,114	1,176	1,164	3,684	6	4½	3,897	2	4½	3,849	13	9
Beer Retailers, whose premises are rated under 20*l.* per annum	,,	65,722	65,316	66,667	72,432	4	5½	72,534	14	4	73,472	11	9½
Do. do. 20*l.* and upwards	,,	20,470	20,577	20,792	67,700	5	2	68,034	2	8½	68,758	11	10½
Retailers of Beer, Cider, or Perry, under the provisions of the Acts 1 Wm. IV., c. 64, and 4 and 5 Wm. IV., c. 85, (to be drunk on the premises)	,,	31,207	31,212	31,745	103,541	7	6½	103,227	3	9	104,989	19	5½
Do. under the same Acts (not to be drunk on the premises)	,,	4,372	4,191	3,945	4,818	6	1½	4,623	4	9½	4,347	14	4½
Do. of Cider and Perry only, under the same Acts	,,	700	903	889	771	9	1½	995	3	7½	979	15	0½
Tea and Coffee Dealers	,,	105,150	109,362	112,948	60,680	6	2	62,449	6	5	65,180	8	2
Glass Manufacturers	,,	126	120	133	2,646	0	0	2,520	0	0	2,793	0	0
Maltsters	,,	10,488	10,187	9,832	20,222	3	8½	20,158	8	10½	20,184	0	5
Paper Makers	,,	456	451	453	1,915	4	0	1,894	4	0	1,902	12	0
Soap Makers	,,	357	358	362	1,499	8	0	1,503	12	0	1,520	8	0
Distillers and Rectifiers	,,	374	371	365	3,927	0	0	3,895	10	0	3,832	10	0
Dealers in Spirits, not being Retailers	,,	3,498	3,456	3,495	36,723	0	0	36,288	0	0	36,697	10	0
Roasters of Malt	,,	19	19	20	375	15	0	380	0	0	400	0	0
Dealers in Roasted Malt	,,	15	16	18	150	0	0	160	0	0	180	0	0
Retailers of Spirits whose Premises are rated under 10*l.* per annum	,,	33,766	33,836	34,317	74,425	17	10	74,560	3	8	75,640	7	9
Do. do. at 10*l.* and under 20*l.*	,,	26,449	26,386	25,667	116,623	11	1½	116,345	15	4½	117,304	16	0½
,, 20*l.* ,, 25*l.*	,,	3,955	3,997	4,022	26,160	18	6½	26,372	6	10½	26,603	17	1
,, 25*l.* ,, 30*l.*	,,	2,691	2,719	2,739	20,755	11	0	20,981	12	4	21,120	5	8
,, 30*l.* ,, 40*l.*	,,	4,156	4,196	4,203	36,655	1	0½	37,007	16	11	37,069	11	9½
,, 40*l.* ,, 50*l.*	,,	2,559	2,560	2,537	25,390	1	4	25,400	0	0	25,667	17	9½
,, 50*l.* and upwards	,,	6,702	6,712	6,823	73,889	11	0	74,010	16	6	75,223	11	6
Makers of Stills	,,	12	15	19	6	6	0	7	17	6	9	19	6
Chemists, or any other Trade, requiring a Still	,,	70	70	82	36	15	0	36	15	0	43	1	0
Retailers of Spirits in Ireland, being duly licensed to sell Coffee, Tea, &c., whose Premises are rated under 25*l.* per annum	,,	273	279	312	2,768	13	5½	2,768	4	0½	3,095	12	6
Do. do. at 25*l.* and under 30*l.*	,,	38	45	48	626	4	3	496	2	6	463	1	0
,, 30*l.* ,, 40*l.*	,,	40	40	48	493	10	7½	485	1	8	552	2	0
,, 40*l.* ,, 50*l.*	,,	22	29	35	291	0	10	382	12	11	463	0	5
,, 50*l.* and upwards	,,	73	73	75	1,031	18	6	1,046	5	1½	1,074	18	5½
Retailers of Sweets	,,	3,093	3,303	3,552	3,410	18	11	3,640	3	7½	3,914	12	0
Manufacturers of Tobacco and Snuff	,,	690	690	704	7,008	15	0	7,208	5	0	7,255	10	0
Dealers in Tobacco and Snuff	,,	185,970	188,185	193,323	49,661	14	6	49,396	11	3	50,747	5	9
Vinegar Makers	,,	59	54	60	309	15	0	283	10	0	315	0	0
Dealers in Foreign Wine, not having a Licence to retail Spirits, nor a Licence to retail Beer	,,	1,875	1,949	1,896	19,687	10	0	20,464	10	0	19,908	0	0
Dealers in Foreign Wine, having a Licence to retail Beer, but not having a Licence to retail Spirits	,,	311	299	326	1,371	6	3	1,318	3	0½	1,437	9	1½
Dealers in Foreign Wine, having a Licence to retail Beer and Spirits	,,	26,679	26,525	26,805	58,804	19	3	58,465	10	5	59,092	18	9
Passage-Vessels on board which Liquors and Tobacco are sold	,,	379	359	381	397	10	0	376	19	0	400	1	0
Game Certificates (Ireland)	,,	3,439	3,756	3,706	10,822	17	0	11,831	8	0	11,673	18	0
Licences to let Horses for Hire	,,	11,232	11,734	12,315	4,212	0	0	4,400	5	0	4,662	0	7½
Surcharges	£	..	..	..	2,557	11	4½	2,048	12	10½	2,927	2	5½
Amount of Duty on Licences granted for Periods less than a Year	,,	..	..	..	14,623	3	4½	20,412	16	6½	17,049	10	2½
Malt from Barley	Bush.	35,491,983	35,269,327	36,656,001	4,801,894	14	1½	4,783,267	6	8½	4,970,657	1	7½
,, Bear or Bigg	,,	449,424	423,357	537,177	47,189	17	2½	44,633	18	8	56,403	18	10½
Paper of all kinds	lbs.	96,633,322	103,449,625	109,405,148	634,549	18	7½	678,238	3	4½	718,562	6	4
Soap, Hard	,,	155,453,340	164,775,807	170,476,212	1,020,162	11	4½	1,081,337	6	6½	1,118,831	8	4½
,, Soft	,,	12,464,925	15,394,179	17,458,048	54,534	0	10½	67,349	10	8	76,357	1	8
Spirits	Galls.	18,841,880	18,864,332	20,608,525	5,046,813	13	0	4,903,201	10	2	5,171,152	18	6
Sugar from Beet Root	Cwts.	3,477	3,843	5,597	4,391	14	4½	4,843	2	6	7,052	16	11½
Sweets and Medicated Spirits imported from Scotland and Ireland	Galls.	13,965	16,330	26,235	1,181	12	4½	970	6	3	1,227	5	6½
Vinegar	,,	3,175,722	2,963,061	1,449,691	27,737	11	3½	26,189	5	7½	12,654	0	2
Amount of Duty on Horses let for Hire	£	..	..	..	172,929	19	0½	162,193	17	9½	163,429	7	7½
Total		..	..	..	14,916,089	7	8½	14,466,845	7	8½	15,207,970	0	0

VII. *An Account of the Revenue of Taxes in Great Britain, in* 1841, 1842, 1843, *and* 1844, *distinguishing by Estimate the Proportions collected under each Head of Duty.*— (Papers published by Board of Trade.)

Heads of Duty.	Amount received in the Years, 1841		1842		1843		1844	
	£.	£.	£.	£.	£.	£.	£.	£.
Land Tax	..	1,214,431	..	1,172,842	..	1,159,149	..	1,164,042
Assessed Taxes, viz.—								
Windows, Houses having 8 — 10	180,074	..	165,960	..	161,329	..	164,110	..
,, ,, 11 — 15	373,158	..	352,980	..	349,502	..	354,933	..
,, ,, 16 — 20	311,012	..	294,221	..	289,695	..	298,444	..
,, ,, 21 — 30	370,343	..	349,566	..	343,057	..	353,176	..
,, ,, 31 — 39	153,874	..	146,074	..	142,220	..	146,203	..
,, ,, 40 — 44	55,443	..	52,890	..	52,500	..	53,165	..
,, ,, 45 — 49	36,348	..	35,092	..	35,735	..	36,574	..
,, ,, 50 — 59	51,447	..	47,748	..	47,114	..	48,307	..
,, ,, 60 — 69	32,016	..	29,893	..	29,460	..	29,948	..
,, ,, 70 and upwards	98,338	..	94,120	..	98,571	..	95,060	..
		1,664,053		1,569,344		1,545,281		1,584,910
Inhabited Houses	Repealed in 1834							
Male Servants, where 1 only is kept	74,523	..	71,209	..	69,500	..	69,504	..
,, ,, 2 ,,	29,762	..	28,324	..	27,108	..	28,070	..
,, ,, 3 ,,	23,318	..	22,722	..	22,394	..	22,358	..
,, ,, 4 ,,	16,446	..	15,343	..	15,147	..	15,859	..
,, ,, 5 ,,	12,043	..	11,459	..	11,687	..	11,466	..
,, ,, 6 and under 10	23,635	..	22,068	..	21,862	..	21,793	..
,, ,, 10 and upwards	24,019	..	23,037	..	22,456	..	22,650	..
		203,816		194,263		191,064		191,700
Under Game Keepers	..	343	..	324	..	322	..	327
Waiters in Taverns, &c.	..	4,106	..	3,955	..	3,785	..	3,848
Male Persons, not being Servants to their Employers	..	7,577	..	7,185	..	5,081	..	4,585
Four-wheeled Carriages—								
where 1 only is kept	113,449	..	109,191	..	105,193	..	104,080	..
,, ,, 2 ,,	46,864	..	45,782	..	44,267	..	43,500	..
,, ,, 3 ,,	9,124	..	9,642	..	8,489	..	8,031	..
,, ,, 4 and upwards	5,234	..	8,446	..	6,484	..	5,629	..
		174,671		173,061		164,432		161,640
Post Chaises and Carriages	..	149,854	..	140,847	..	145,594	..	150,027
Two-wheeled Carriages	..	140,067	..	128,972	..	118,878	..	112,410
Horses used for Riding or Drawing Carriages, where 1 only is kept	182,753	..	123,821	..	118,674	..	117,610	..
,, ,, 2 ,,	84,690	..	79,175	..	77,416	..	77,991	..
,, ,, 3 ,,	31,792	..	30,208	..	29,562	..	29,245	..
,, ,, 4 ,,	18,073	..	16,672	..	16,838	..	16,094	..
,, ,, 5 ,,	9,442	..	8,630	..	8,138	..	8,081	..
,, ,, 6 ,,	6,731	..	6,215	..	6,027	..	6,026	..
,, ,, 7 and upwards	21,500	..	20,249	..	19,753	..	19,056	..
		304,980		284,530		275,958		274,103
Horses charged at modified rates	..	37,397	..	35,041	..	33,684	..	33,699
Other Horses and Mules	..	72,298	..	68,610	..	66,359	..	66,655
Dogs (exclusive of Packs of Hounds)	168,878	..	156,088	..	148,741	..	147,622	..
Packs of Hounds	3,313	..	3,238	..	3,116	..	3,109	..
		172,191		159,326		151,857		150,731
Horse Dealers in London, &c.	1,839	..	1,618	..	1,451	..	1,544	..
,, ,, other Parts	12,312	..	10,911	..	9,409	..	8,273	..
		14,151		12,529		10,860		9,817
Hair Powder	..	5,421	..	4,678	..	4,212	..	3,849
Armorial Bearings	..	70,059	..	67,341	..	67,137	..	68,312
Game Certificates	134,748	..	135,890	..	125,494	..	143,652	..
Certificates for the Sale of Game	1,577	..	1,747	..	1,687	..	1,997	..
		136,325		137,637		127,181		145,689*
Composition Duties	..	31,533	..	27,827	..	24,488	..	28,030
Additional Duty of 10 per Cent., 3 Vict., c 17	..	311,357	..	296,342	..	289,403	..	279,619
Penalties and Costs	..	649	..	567	..	891	..	421
Miscellaneous Receipts	..	..	..	..	..	67	..	109
Total Assessed Taxes	..	3,500,650	..	3,312,874	..	3,225,919	..	3,265,828
Total Land Tax	..	1,214,431	..	1,172,842	..	1,159,149	..	1,164,042
Total Receipts	..	4,715,281	..	4,485,216	..	4,385,068	..	4,429,870

* Including Additional Duty of 10 per Cent.

VIII. *An Account of the Nett Produce of the Revenue of Stamps in Great Britain and in Ireland, in* 1845.—(Annual Finance Book for 1846, p. 47.)

—	England. £. s. d.	Scotland. £. s. d.	Great Britain. £. s. d.
Deeds and other instruments, not included under any of the following heads	1,845,414 10 7½	123,201 19 1½	1,968,616 9 9
Probates of will and letters of administration.	889,969 16 6	53,135 13 9½	943,105 10 3½
Bills of exchange.	416,090 3 8	87,680 12 8	503,770 16 4
Bankers' notes.	10,585 10 7	11,021 17 6	21,607 8 1
Composition for the duties on the bills and notes of the Bank of England and of country bankers	29,548 6 6	. .	29,548 6 6
Receipts.	142,406 4 8½	15,599 4 11	158,005 9 7½
Marine insurances	121,391 11 0	14,876 11 3	144,268 2 3
Licenses and certificates.	193,567 12 6	23,769 3 0	217,336 15 6
Newspapers and supplements, and papers for advertisements	270,509 7 6½	27,941 18 9	298,451 6 3½
Medicine	23,714 10 4½	227 16 1	23,942 6 5½
Legacies.	1,175,410 4 *6	87,699 10 10	1,263,309 15 4
Fire insurances	916,165 5 10	67,150 7 2	983,315 13 0
Gold and silver plate	74,345 13 0½	3,560 13 1½	77,906 6 2
Cards.	8,681 9 0	. .	8,681 9 0
Dice	269 0 0	. .	269 0 0
Advertisements	128,350 18 6	18,011 11 6	146,362 10 0
Stage carriages	399,039 10 11	32,331 0 11	431,370 11 10
Hackney carriages	65,933 0 0	. .	65,933 0 0
Penalties in law proceedings, and costs received.	653 0 5	1,096 2 1	1,754 2 6
Total	6,725,050 16 2½	567,504 2 9½	7,292,554 18 10½
Ireland.	. .	. .	579,413 0 5½

IX. *Account of the Number of each Article charged to the Assessed Taxes, with the Amount of Duty accruing thereon, in Great Britain, in the Year ending 5th April,* 1844.

Description of Articles charged.	Number Charged.	Amount of Duties. £. s. d.
Houses charged to the Window Duty.	447,383	1,624,103 19 3
Domestic servants.	108,655	196,064 8 0
Other male persons	10,219	8,956 12 0
Four-wheeled carriages charged progressively	26,478	164,849 0 0
Ditto, additional bodies	15	47 5 0
Other four-wheeled carriages let to hire, &c.	36,069	152,957 15 0
Two-wheeled carriages	36,364	114,639 5 0
Ditto, additional bodies	1	1 11 6
Riding, &c., horses charged progressively	145,846	279,651 19 0
Other riding-horses, charged at modified rates	23,928	34,584 8 0
Other horses and mules	128,795	67,817 7 6
Dogs (exclusive of packs of hounds).	233,092	150,427 16 0
Packs of hounds compounded for.	88	3,168 0 0
Horse-dealers	738	10,012 10 0
Hair-powder (number of persons).	3,360	3,948 0 0
Armorial bearings	35,792	69,780 0 0
Game certificates	35,809	128,306 16 0
Game licences	886	1,772 0 0
Total	1,328,518	3,010,888 12 3

X. *An Account of the Amount of Postage collected at the undermentioned Cities and Towns of the United Kingdom during the Years* 1843 *and* 1844.—(Papers published by Board of Trade.)

Places.	Years. 1843 £. s. d.	1844 £. s. d.	Places.	Years. 1843 £. s. d.	1844 £. s. d.
London	717,789 18 9*	741,633 17 8†	Preston	2,785 18 1	3,326 15 2
Birmingham	16,473 13 5	17,299 17 10	Sheffield	6,307 2 10	6,924 1 0
Bristol	16,024 10 6	16,209 8 7	Edinburgh	25,368 17 6½	27,130 19 7
Coventry	1,937 1 10	2,128 5 10	Aberdeen.	5,256 7 3	5,571 7 9½
Hull	9,380 19 5	9,727 6 0	Dundee	4,156 12 4	4,318 2 4
Leeds	11,214 6 7	12,757 5 4	Glasgow	25,154 0 9	27,944 19 6
Leicester	3,289 4 1	3,498 7 0	Dublin	38,770 3 0	39,403 15 10
Liverpool	50,640 11 0	51,656 19 6	Belfast	4,625 5 11	4,902 8 7
Manchester	36,611 0 5	39,529 17 10	Cork	4,116 9 11	4,353 15 6
Macclesfield	533 7 6	566 14 8	Limerick	2,879 13 3	3,189 7 2
Norwich	4,897 7 10	5,319 0 3	Drogheda	742 10 9	720 5 7
Nottingham	3,562 10 9	3,742 0 3	Londonderry	1,925 7 4	2,202 12 10
Potteries and Newcastle Stafford	2,618 3 2	2,825 10 3	Waterford.	1,898 4 2	1,999 3 3

* Including 131,597*l.* 19*s.* 3*d.* charged on Public Departments.
† Including 124,765*l.* 9*s.* 7*d.* charged on Public Departments.

XI. *An Account showing the Amount of Property estimated and assessed, in each County of England and Wales, and in Scotland, under the different Schedules of the Property Tax Act for the Year* 1814–15.

Counties.	Schedule A. (assessed to the Owner.) Property from Lands.	Property from Houses.	Amount of Tithes.	Profits from Manors.	Amount of Fines.	Profits of Quarries.	Profits of Mines.	Profits of Iron Works, &c.	General Profits chargeable under Sched. A.	Total.	Schedule B. assessed to the Occupier.	Schedule C. Dividends of Public Annuities and other Securities.	Schedule D. Profits of Trade, &c.	Schedule E. Public Office and Employments.
Bedford	£316,575	£39,738	£15,574	£74	£. 5,812	£. ..	£. ..	£127	£59	£365,107	£307,840		£97,849	£1,481
Berks	502,696	140,211	67,511	209	3,349	..	..	4,506	265	720,630	503,537		299,992	3,218
Bucks	548,630	83,716	27,754	810	..	..	..	219	..	664,478	548,638		223,256	2,938
Cambridge	541,325	68,812	46,683	494	40,735 4,923	..	..	..	738	702,750	541,300		234,251	3,110
Chester	895,141	216,395	53,676	446	2,753	626	15,085	19,221	50	806,738	1,114,864		287,152	4,207
Cornwall	629,259	122,007	77,950	446	..	2,685	78,375	9,423	1,822	1,114,864	638,047		233,059	3,182
Cumberland	561,468	94,144	15,191	1,758	81	3,028	60,102	1,421	236	924,061	559,731		179,883	2,287
Derby	707,230	87,563	20,775	62	..	1,164	26,217	39,915	72	737,439	716,496		209,268	2,196
Devon	1,300,812	383,375	133,591	689	178	5,232	25,665	10,225	220	883,018	1,351,091		697,359	9,350
Dorset	564,377	89,229	67,003	671	826	237	..	1,670	..	1,924,976	566,018		241,887	4,003
Durham	543,411	126,991	34,771	3	24,243	1,448	63,045	6,286	19	724,004	531,288		249,217	4,634
Essex	1,109,829	263,719	153,871	10,729	54	25	..	7,335	623	805,217	1,381,176		600,725	9,021
Gloucester	971,410	276,635	57,530	446	1,124	559	5,916	5,557	480	1,545,387	1,112,592		350,704	2,575
Hereford	324,781	48,086	57,282	..	..	..	..	..	..	1,319,697	971,815		62,039	3,114
Hertford	397,330	129,492	59,193	3,641	..	56	..	3,792	..	430,171	530,205		262,471	4,319
Huntingdon	277,463	39,909	10,273	1,636	..	..	..	2,795	906	583,705	377,735		108,401	4,156
Kent	961,368	546,592	166,410	43	9,802	..	..	5,899	..	325,984	959,368		2,283,852	21,368
Lancaster	1,463,183	1,488,653	53,750	1,655	200	6,326	51,899	68,167	22	1,650,024	1,442,468		319,608	39,265
Leicester	807,538	125,889	15,772	82	..	1,113	2,070	43	3	3,128,857	810,291		374,331	5,128
Lincoln	1,865,086	155,603	61,028	2,467	..	119	..	6,452	..	952,330	2,031,755		7,857,408	6,465
London	..	1,023,650	19,237	..	..	..	..	..	..	2,031,755	1,842,947		4,063,707	1,111,712
Middlesex	515,038	2,773,204	19,045	5,444	..	..	..	4,715	..	1,842,947	3,317,506		1,141,421	53,408
Monmouth	231,113	43,932	17,449	3,726	120	..	4,260	2,483	..	3,317,506	303,074		522,967	1,427
Norfolk	1,102,352	229,634	164,466	2,991	4,835	..	..	78	528	303,074	1,511,884		184,835	16,351
Northampton	846,172	81,350	19,215	155	249	444	..	196	..	1,511,884	1,087,481		441,521	1,431
Northumberland	992,951	175,681	71,396	28	7,531	2,313	94,187	17,708	..	947,781	850,383		314,159	5,865
Nottingham	604,249	122,337	16,301	.. 3	..	..	3,754	335	..	1,388,795	936,315		309,480	1,840
Oxford	589,594	112,673	39,173	..	48,945	..	..	121	573	746,867	867,564		30,927	4,724
Rutland	123,296	8,983	5,683	..	..	30	..	1,140	..	791,082	£579,594		279,182	800
Salop	823,845	149,664	89,159	4,510	166	425	14,224	11,230	752	138,214	123,371		1,253,293	4,702
Somerset	1,491,734	675,323	101,458	515	3,064	632	17,302	1,231	333	1,094,975	824,226		918,672	14,192
Southampton	707,127	567,396	139,873	1,221	9,692	..	160	9,715	1,170	2,297,148	1,479,216		517,287	10,716
Stafford	862,973	246,495	43,389	433	..	339	37,272	6,434	740	1,256,563	706,550		444,074	10,833
Suffolk	826,223	171,551	137,440	7,905	1,001	148	..	3,103	739	1,158,475	862,646		1,583,080	11,679
Surrey	437,238	1,065,736	54,339	3,464	8,212	335	..	6,050	123	1,148,115	823,802		366,465	17,804
Sussex	641,726	168,978	100,946	2,339	1,606	180	4	4,360	66	1,576,217	439,322		665,998	4,611
Warwick	838,993	309,393	29,145	204	..	..	4,155	29,079	..	920,215	628,290		2,765,942	13,089
Westminster	2,631	1,283,453	..	..	19,713	..	..	..	..	1,919,679	833,422		51,892	45,312
Westmoreland	260,945	28,639	6,218	565	10	424	2,047	353	132	1,305,797	2,631		380,482	1,172
Wilts	984,611	149,637	90,971	40	..	119	..	812	3,757	259,328	963,853		274,458	6,981
Worcester	609,746	155,663	47,019	23	97	174	296	6,041	..	1,206,338	965,079		1,717,155	1,177
York	3,563,980	822,859	128,042	1,750	3,269	8,490	42,476	186,873	3,206	819,039	609,734		3,998	24,720
Anglesea	76,105	4,038	14,439	..	..	..	..	..	..	4,760,935	3,555,221		29,102	..
Brecon	135,191	14,388	8,330	..	..	..	2,232	2,040	..	94,602	76,105		14,412	490
Cardigan	128,359	6,071	13,483	..	..	..	..	..	..	162,181	111,455		30,320	228
Caermarthen	240,714	19,851	14,924	..	..	..	5,655	886	..	145,933	124,939		20,642	5,361
Caernarvon	105,852	10,737	14,244	..	..	300	80	..	..	282,036	240,714		21,163	220
Denbigh	224,678	41,042	31,830	..	..	10,836	3,769	338	..	131,213	105,852		11,668	245
Flint	131,733	5,782	9,100	..	..	120	20,918	..	..	312,583	222,608		103,348	795
Glamorgan	229,013	70,403	17,021	921	..	697	26,925	26,254	..	175,673	133,730		7,322	3,149
Merioneth	96,343	8,600	7,296	..	..	..	..	..	..	371,234	229,384		18,749	68
Montgomery	181,881	14,789	15,330	..	..	8	..	..	..	112,239	96,343		48,102	794
Pembroke	181,057	20,056	15,365	38	..	603	3,102	..	..	212,208	173,376		3,714	1,531
Radnor	90,652	1,966	10,960	..	..	..	..	..	..	220,291	181,697			70
										103,578	59,524			
England & Wales	34,330,462	14,895,130	2,752,639	71,671	206,730	49,501	616,201	574,722	18,255	53,495,368	34,028,648	£30,048,619	34,297,685	1,316,143
Scotland	5,075,242	1,364,270	269	..	9,815	20,876	62,534	62,960	46,999	6,642,955	4,867,489	..	2,771,303	311,703
Great Britain	39,405,704	16,259,400	2,752,859	71,671	216,545	70,377	678,735	637,682	65,254	60,138,323	38,896,137	30,048,619	37,068,988	2,027,846
Public Offices	..	..	..	..	..	..	..	..	..	..	..	..	..	9,243,122
														11,270,968

Those who contrast the values of the property assessed to the Property and Income Tax in the different counties of England and Wales in 1814–15 (as exhibited in Table XI.), with the values of the same property assessed in the same counties in 1842–43 (as exhibited in

XII. *Abstract of a Return, showing the Total Annual Value of Real Property in each* 1842–43; *distinguishing the Value of Land, Houses, Tithes, Manors, Fines, Quarries,*

Counties.	ANNUAL VALUE OF																	
	Lands.			Houses.			Tithes.			Manors.			Fines.			Quarries.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Bedford	877,994	19	5	432,296	9	9	7,162	12	11	. .	. .		. .			. .		
Berks	594,903	6	5½	310,104	14	8	20,866	19	4½	101	12	10	14,163	9	10	. .		
Bucks	597,736	8	11	211,580	8	6	16,897	1	11	137	12	5	. .			. .		
Cambridge	774,657	10	9½	267,273	15	9	27,144	15	3	3,999	13	2	27,406	6	2½	. .		
Chester	962,857	5	9	780,102	17	5	25,561	12	10	577	2	5	2,770	10	0	3,765	8	11
Cornwall	774,692	9	1	277,108	7	1½	74,971	14	8½	1,334	16	8	5,336	15	11	10,564	12	0
Cumberland	603,724	15	11	220,549	0	8	10,265	17	11	11,637	17	5	3,708	10	10	1,816	11	0
Derby	845,681	3	10½	328,488	14	6½	16,896	7	4½	1,092	18	0	712	4	4	6,221	11	8
Devon	1,356,180	15	8½	766,745	0	8½	115,509	6	11	4,420	19	11½	9,425	5	4	20,049	13	6½
Dorset	613,507	8	0	231,994	12	7	56,971	0	2	1,529	9	6	201	5	8	3,916	0	0
Durham	556,781	2	3	422,297	15	4	34,262	13	11	731	17	4	53,382	12	8	4,343	5	0
Essex	1,229,645	6	5	517,446	8	1	106,703	15	11	15,600	3	11	65	16	4	1,232	0	0
Gloucester	1,121,124	12	3½	839,689	15	9½	39,990	9	7½	1,900	6	2½	2,962	14	9	2,317	10	7
Hereford	620,581	4	9	128,372	2	11	32,306	16	9	999	0	5	4,617	1	2	636	12	0
Herts	438,225	12	9	340,267	6	4	56,136	0	9	6,605	18	6	85	19	11	200	0	0
Hunts	312,082	12	0	71,852	16	11	7,642	2	7	3,733	13	9	258	19	0	. .		
Kent	1,327,490	9	3½	1,372,881	14	3½	114,349	7	6½	420	16	5	17,465	5	8	4,028	17	0
Lancaster	1,636,416	9	0½	4,777,536	0	2	39,723	19	6½	4,264	8	8	4,641	19	4	21,688	0	8
Leicester	899,063	8	1	344,966	17	0	19,474	4	3	799	15	1	26	8	0	4,150	7	8
Lincoln	2,340,624	12	11	420,978	5	1	44,077	17	4	3,695	14	2	5,814	8	3	814	4	0
Monmouth	250,334	6	5	155,420	4	8	12,163	9	6	730	7	10	275	11	10	602	3	4
Norfolk	1,644,903	9	6	537,703	14	3	70,417	2	5	11,561	2	4	33	13	0	185	5	4
Northampton	973,144	3	8	263,516	15	3½	10,870	17	3	1,491	0	4	. .			732	7	4
Northumberland	835,856	5	4	431,877	4	9	53,866	0	9	227	14	0	117	16	0	3,409	15	0
Notts	707,756	0	2	330,744	17	0	12,469	16	2	58	0	0	1,537	19	10	213	0	0
Oxford	602,393	19	10	285,849	14	5	22,193	15	6	2,131	13	3	52,353	12	1	. .		
Rutland	130,935	2	5	21,632	10	9	3,510	13	5	364	3	1	. .			502	5	0
Salop	1,050,131	11	10	254,333	10	0	31,366	10	4	2,172	14	10	. .			2,189	18	10
Somerset	1,715,407	8	11	1,023,297	4	3½	59,819	1	9½	1,825	10	1½	28,310	2	2	2,712	7	5
Southampton	777,636	1	5½	730,359	10	0	114,169	7	2½	4,949	0	6½	2,018	5	9	765	9	11
Stafford	1,104,150	13	4	818,063	15	9	33,074	10	3	2,137	19	7	5,564	18	5	5,571	1	8
Suffolk	1,147,535	18	6	475,407	15	10	65,714	0	5	12,563	6	3	86	9	0	123	12	3
Surrey	433,504	15	9	2,153,725	18	5	43,692	12	10	7,172	7	9	7,193	16	9	591	5	6
Sussex	855,973	0	7½	697,771	6	4	38,569	13	4½	6,778	19	5	3,419	11	21	296	10	0
Warwick	903,863	10	8	1,122,126	7	11	32,261	3	6	313	0	0	. .			3,705	11	8
Westmoorland	269,417	15	3	52,656	4	11	4,999	2	4½	729	18	1	74	0	6½	362	14	0½
Wilts	1,021,706	3	7	291,185	18	3	78,830	5	2	147	10	1	9,546	10	8	1,376	4	4
Worcester	716,497	17	8	514,734	14	8	28,934	5	10	1,869	2	0	10,453	15	1	331	4	0
York	3,965,936	10	1	2,707,518	18	0½	77,491	15	5½	10,493	18	3½	15,118	16	4	27,633	18	3½
Wales.																		
Anglesea	129,963	8	0	15,281	16	2	15,114	7	0	. .			. .			80	0	0
Caernarron	150,046	18	7	32,979	12	2	12,318	15	8	20	0	0	. .			51,733	9	8
Denbigh	284,345	12	9	53,136	18	2	17,966	9	4	6,969	17	4	. .			1,714	18	0
Flint	193,505	0	2	27,617	6	3	9,535	3	5	6,161	15	6	. .			899	9	0
Merioneth	103,237	1	10	31,231	1	0	3,188	10	7	8	15	0	. .			9,728	13	9
Montgomery	253,067	16	6	54,691	13	5	20,319	7	2	325	0	0	. .			412	11	0
Brecon	129,224	18	10	31,401	18	7	12,558	3	10	. .			. .			3,497	0	0
Cardigan	159,049	18	7	23,091	16	2	13,086	7	9	21	0	0	. .			. .		
Caermarthen	315,761	6	9	37,739	10	1	26,177	3	0	105	4	10	1,016	0	0	255	15	0
Glamorgan	258,470	0	0	219,165	0	0	12,351	0	0	234	0	0	7	0	0	992	0	0
Pembroke	266,864	14	8	57,731	14	7	24,483	0	11	119	17	1	1,016	0	0	1,690	4	10
Radnor	167,647	17	7	14,863	14	10	6,029	14	6	40	0	0	. .			79	0	0
London	. .			1,369,515	0	0	32,738	19	0	. .			7,164	0	0	. .		
Inns of Court	. .			107,572	0	0	. .			. .			. .			. .		
Westminster	925	0	0	2,176,316	3	7	1,787	1	8	. .			16,695	14	6	. .		
Middlesex	386,936	1	8	5,579,972	14	3	29,122	16	9	6,796	12	6	1,577	8	8	. .		
England and Wales	40,467,688	5	7½	35,556,399	17	3½	1,960,330	18	10½	152,216	11	3½	319,140	15	9½	297,609	8	8½
Scotland (see separate Return, p. 420)	5,566,527	13	8	2,919,339	15	9½	. .			. .			901	16	2	33,474	0	10
Great Britain	45,754,215	18	10½	38,475,738	13	0½	1,960,330	18	10½	152,216	11	3½	320,042	11	10½	240,083	9	6½

Table XII.), will be able to form a pretty accurate notion of the progress of that portion of the United Kingdom in the interval. We regret our inability to lay before the reader any detailed account of the value of the various descriptions of property in Scotland in 1814–15.

County of England and Wales assessed to the Property and Income Tax for the Years Mines, Iron Works, Fisheries, Canals, Railways, &c. (Parl. Paper, No. 102, Sess. 1845.)

ANNUAL VALUE OF					Other Property not comprised in the foregoing.	Total Annual Value of Real Property Assessed.
Mines.	Iron Works.	Fisheries.	Canals.	Railways.		
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
. .	. .	. .	. .	. .	. .	517,474 2 1
. .	. .	52 0 0	8,674 13 9	. .	9,317 17 10	867,475 2 9½
. .	375 0 0	33 0 0	1,220 10 0	. .	. .	827,8 0 1 9
. .	. .	. .	677 17 8	. .	1,255 10 9	1,102,415 8 10
39,721 13 2	632 5 6	100 0 0	17,701 10 6	7,273 0 0	48,824 0 9	1,889,,37 7 8
170,017 10 0	3,992 16 7	110 0 0	11,473 6 7	2,345 14 6	7,293 5 1	1,355,291 8 2½
47,256 14 2	3,302 7 5	409 8 0	3,809 0 0	1,186 0 9	1,967 15 0	910,328 10 1
40,638 3 9	6,004 13 6	59 1 0	21,454 16 9	104,204 0 0	7,971 0 4	1,37[illegible]25 6 1½
13,265 12 3	1,141 17 0	418 19 5	11,564 2 9	. .	89,654 12 10	2,58[illegible]376 11 11
. .	. .	. .	6,548 10 0	850 0 0	1,636 16 10	917,677 2 9
392,112 2 7	5,150 0 0	. .	. .	171,069 16 8	39,794 13 4	1,668,[illegible]85 19 1
. .	3,458 5 3	139 5 10	. .	. .	1,229 4 0	1,[illegible]35,610 8 9
21,448 16 4	9,699 0 9½	4 2 0	10,021 10 10	8,920 3 3	21,435 8 4	2,074,514 10 9½
. .	. .	. .	1,327 3 1	474 15 6	6,302 16 8	805,319 0 3
. .	. .	47 0 0	5,490 14 11	. .	2,641 1 11	849,[illegible]73 15 1
. .	. .	. .	3,781 17 0	. .	2,131 14 9	401,693 15 3
. .	. .	1,850 16 0	442 10 0	1,250 0 0	67,585 18 3	2,[illegible]07,605 14 5½
348,006 18 0	7,174 0 0	500 13 6	71,500 8 11	523,515 6 7	257,714 19 1	7,756,220 9 6½
21,897 7 10	. .	. .	35,734 3 6	72,280 4 1	8,464 3 4	1,376,394 0 6
. .	. .	. .	38,473 2 2	. .	18,0[illegible]0 15 6	2,868,338 19 5
19,340 8 7	56,897 17 11	246 5 0	26,152 18 6	12,540 17 1	7,516 19 5	591,161 10 1
. .	. .	. .	150 0 0	. .	10,261 5 1	2,327,[illegible]70 11 11
. .	. .	. .	678 7 6	. .	1,657 10 8	1,252,100 2 0½
130,148 0 8	16,196 18 10	4,670 18 6	. .	57,534 17 0	3,528 8 2	1,542,433 13 7
21,503 16 6	. .	. .	10,572 11 0	. .	6,711 5 7	1,142,367 7 0
. .	. .	197 10 0	57,272 7 10	. .	3,042 16 11	1,025,480 10 8
. .	. .	. .	. .	. .	35 0 0	156,[illegible]47 14 8
50,787 15 5	34,729 1 2	. .	46,627 6 10	. .	2,668 5 0	1,475,[illegible]38 3 8
47,[illegible]90 9 8	1,2[illegible]6 19 3	24 0 0	45,752 2 8	8,658 10 7	55,179 3 11½	2,991,746 0 2½
. .	130 0 0	1,506 2 8	1,343 9 5	9,962 5 0	18,237 8 5	1,[illegible]61,447 0 5
196,149 13 6	155,685 18 4	105 2 0	107,517 10 1	2,455 5 0	10,146 14 10	2,441,553 5 5
. .	. .	. .	4,954 14 2	. .	6,929 4 7	1,717,825 1 0
. .	. .	30 0 0	19,618 11 3	191,018 6 7	77,[illegible]09 18 2	2,[illegible]30,067 13 0
. .	. .	. .	2,697 15 7	. .	22,152 5 9	1,676,[illegible]9 5 0
11,456 1 7	. .	. .	190,145 1 2	61,826 8 0	36,787 0 8	2,364,489 14 2
6,134 1 5	148 0 0	579 5 4	. .	. .	. .	334,501 9 4
. .	. .	. .	10,890 1 0	. .	11,891 4 0	1,494,536 6 1
33,376 6 0	3,527 0 0	. .	19,866 19 4	. .	3,440 13 2	1,332,537 17 9
154,073 10 9½	67,890 7 2	48 5 0	251,715 11 11½	95,510 13 5½	97,601 6 11½	7,495,028 12 3½
5,833 15 9	. .	. .	. .	. .	. .	165,323 7 8
1,453 16 10	. .	. .	. .	2,309 0 0	120 0 0	251,043 13 11
4,365 9 6	1,741 0 0	. .	. .	. .	300 0 0	371,340 5 1
28,663 3 1	3,531 0 0	. .	. .	374 0 0	4,487 13 2	274,470 10 7
263 10 8	. .	. .	. .	600 0 0	407 0 6	153,665 2 4
20 0 0	. .	. .	5,121 3 10	. .	2,734 15 7	341,066 7 6
. .	10,430 0 0	. .	1,470 0 0	. .	200 0 0	188,472 1 3
9,180 13 4	. .	. .	. .	. .	. .	20[illegible],327 15 10
9,523 13 1	. .	. .	216 17 5	970 0 0	5,136 2 5	3[illegible],954 17 7
61,237 0 0	19,848 0 0	139 0 0	17,475 0 0	17,222 0 0	10,251 0 0	617,297 0 0
7,780 16 5	. .	. .	723 2 1½	597 15 11	679 19 7	361,642 6 1½
. .	. .	. .	. .	316 0 0	. .	128,096 6 11
. .	. .	. .	. .	42,661 0 0	234,126 18 10	1,686,265 18 7
. .	. .	. .	. .	. .	. .	107,572 0 0
. .	. .	. .	75,794 6 2	. .	57,426 10 5	2,329,145 1 4
. .	. .	. .	78,410 1 10	960,443 18 1	188,308 11 6	7,222,867 18 6
1,903,794 5 10½	412,022 8 8½	11,104 14 3	1,229,202 6 1	2,417,609 18 0½	1,466,815 18 1½	83,802,735 8 6½
177,592 15 7	147,412 16 10	47,809 19 2	77,891 1 1	181,333 1 6	309,480 8 7	9,481,762 8 9½
2,081,387 1 5½	559,435 5 6½	58,914 13 5	1,307,093 7 2	2,598,942 19 6½	1,776,296 6 8½	93,284,497 17 4

XIII.—*Abstract of a Return, showing the Total Annual Value of Real Property assessed in each County of Scotland to the Property and Income Tax for the Year* 1842-43; *distinguishing the Value of Lands, Houses, Fines, Quarries, Mines, Iron Works, Fisheries, Canals and Railways.*

Counties.	Annual Value of									Other Property not comprised in the foregoing.	Total Annual Value of Real Property Assessed.
	Lands.	Houses.	Fines.	Quarries.	Mines.	Iron Works.	Fisheries.	Canals.	Railways.		
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Aberdeen	423,388 13 4½	145,365 14 6	. . .	1,085 12 0	. . .	. . .	8,863 14 11	1,087 0 0	. . .	26,011 14 6	605,892 9 3½
Argyll	232,441 1 3½	25,361 16 5½	123 4 0	470 3 10	347 16 5	300 0 0	1,429 17 4	23 16 4	. . .	1,775 13 1	262,273 8 9
Ayr	390,977 17 8¾	86,429 12 11½	225 6 9	1,300 14 7½	27,850 15 11	506 18 3	843 10 0	11 0 0	11,313 3 11	12,559 18 2½	531,818 18 4½
Banff	110,606 9 9	3,402 16 3	. . .	380 3 6	. . .	. . .	2,591 11 4	. . .	. . .	2,364 0 6	124,347 1 4
Berwick	237,841 14 1	16,743 3 11	. . .	188 0 0	. . .	. . .	196 0 0	. . .	. . .	. . .	254,168 18 0
Bute	20,597 8 2½	2,635 16 7	29 7 0	45 18 3½	. . .	. . .	. . .	. . .	. . .	662 8 11½	31,161 19 5½
Caithness	57,391 16 10	6,870 3 0	. . .	635 0 0	. . .	. . .	1,035 10 0	. . .	. . .	. . .	66,372 3 10
Clackmannan	35,249 7 6	7,658 2 6	. . .	197 0 0	9,699 0 0	130 0 0	40 0 0	. . .	. . .	. . .	52,923 10 0
Cromarty	5,356 16 11	631 3 0	. . .	. . .	. . .	. . .	345 0 0	. . .	. . .	87 13 0	6,920 12 11
Dumbarton	72,941 3 3	41,391 2 6	. . .	1,676 17 2	5,499 10 0	. . .	214 0 0	. . .	. . .	. . .	140,732 12 11
Dumfries	266,547 5 1½	45,131 15 1	. . .	1,024 3 3	4,360 1 0	. . .	17087 12 8	. . .	. . .	. . .	319,750 17 3
Edinburgh	239,189 2 4	781,235 12 0	. . .	3,746 14 4	15,510 16 4	. . .	400 0 0	. . .	. . .	. . .	1,074,991 15 9
Elgin	84,0-2 6 7	7,350 7 9	. . .	148 13 0	. . .	. . .	5,439 7 7	8,923 5 4	5,607 0 0	20,379 5 5	98,114 11 5
Fife	381,572 2 9¼	74,654 9 3¾	. . .	4,796 14 10	22,563 15 1	. . .	1,159 5 5	. . .	. . .	1,693 16 6	508,922 17 4¾
Forfar	312,209 18 8	180,495 12 8	. . .	1,385 3 8	. . .	. . .	2,389 5 9	. . .	. . .	24,176 10 0	502,841 7 8
Haddington	231,213 12 9	31,553 5 0	. . .	362 3 6	4,908 3 6	. . .	. . .	. . .	5,407 18 7	962 8 4	258,743 3 9
Inverness	161,499 2 10	17,894 10 1	. . .	75 0 6	. . .	. . .	2,595 14 3	. . .	. . .	. . .	182,064 7 2
Kinross	25,892 6 5	4,374 19 2	. . .	29 10 6	23 0 0	. . .	219 0 0	. . .	. . .	409 18 11	44,609 14 6
Kincardine	128,468 17 5½	2,014 18 2	. . .	. . .	. . .	. . .	3,837 10 6	. . .	. . .	. . .	134,341 6 1½
Kirkcudbright	182,926 3 9	9,444 0 0	. . .	227 0 0	. . .	. . .	1,204 0 0	. . .	. . .	. . .	193,891 3 9
Lanark	341,121 15 6	902,992 2 5	129 4 9	9,192 12 9	56,302 9 1	429,826 18 7	. . .	68,097 19 6	140,213 2 4	107,121 6 5	1,854,998 13 4
Linlithgow	82,841 17 1	21,149 4 4	. . .	834 2 0	2,561 1 0	. . .	147 0 0	. . .	. . .	791 10 6	109,321 14 11
Nairn	15,291 16 0	1,043 6 0	. . .	. . .	. . .	. . .	62 10 0	. . .	. . .	488 6 8	16,795 18 8
Orkney	21,430 10 2	1,427 12 0	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	22,858 2 2
Peebles	67,675 3 3¼	6,247 4 3	. . .	628 0 6	259 19 3	. . .	. . .	. . .	. . .	. . .	74,810 7 3¼
Perth	551,077 16 4½	51,610 14 2	. . .	676 12 0	271 15 1	. . .	6,520 4 6	. . .	. . .	10 10 0	613,167 12 1½
Renfrew	152,923 15 3	265,774 17 7	493 13 8	2,152 19 8	7,923 13 1	450 0 0	345 0 0	1,542 19 11	13,791 16 8	25,150 3 9	474,567 19 7
Ross	129,824 3 1½	6,440 17 3	. . .	20 0 0	. . .	. . .	3,377 15 9	205 0 0	. . .	5,420 1 10	136,293 17 11½
Roxburgh	235,040 17 5	43,634 2 7	. . .	297 10 0	. . .	. . .	181 10 0	. . .	. . .	. . .	284,204 0 0
Selkirk	28,718 16 10½	11,052 5 9½	. . .	. . .	762 7 4	. . .	. . .	. . .	. . .	. . .	49,766 2 8
Shetland	17,456 14 5	1,710 2 8	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	19,929 4 5
Stirling	131,147 5 6	83,559 5 10	. . .	1,019 0 0	16,577 13 0	16,199 0 0	1,203 0 0	. . .	. . .	. . .	279,705 3 10
Sutherland	23,688 10 7	960 9 3	. . .	. . .	. . .	. . .	4,568 19 10	. . .	. . .	. . .	30,118 19 8
Wigtown	124,807 5 6	10,662 10 9	. . .	30 12 0	. . .	. . .	507 0 0	. . .	. . .	. . .	135,407 8 3
Total	5,596,527 13 2	2,919,336 15 9½	901 16 2	33,474 0 10	177,592 15 7	147,412 16 10	47,809 19 2	77,891 1 1	181,333 1 6	309,480 8 7	9,481,762 8 9½

SECT. 2.—*Public Expenditure.*

THE public expenditure is made up, as any one may readily imagine, of a vast variety of items. In most countries with a maritime frontier, the cost of the army and navy is the most important item, and it, no doubt, occupies a very prominent place in the British budgets. But the most important article by far in our expenditure is the interest of the National Debt, or of the various sums borrowed from and due to the public creditor. The expense of the civil government of the country is not so great, perhaps, as might have been expected.

An Account of the Public Expenditure of the United Kingdom in 1843, 1844, *and* 1845.—(Parl. Paper, No. 517, Sess. 1846.

Heads of Expenditure.	1843		1844		1845	
	£.	£.	£.	£.	£.	£.
Revenue—Charges of Collection.						
Civil Departments { Customs	617,321	..	639,993	..	652,183	
Civil Departments { Excise	774,489	..	766,493	..	755,311	
		1,391,810		1,406,486		1,407,494
Preventive Service, Land Guard, Revenue, Police Cruizers and Harbour Vessels	..	572,655	..	561,098	..	562,243
		1,964,465		1,967,584		1,969,737
Stamps	..	144,754	..	149,437	..	153,954
Assessed Taxes	..	252,218	..	322,231	..	331,501
Other Ordinary Revenues	..	37,270	..	39,164	..	36,886
Superannuation and other Allowances	..	364,835	..	362,120	..	364,436
Total Revenue	..	2,783,542	..	2,860,536	..	2,875,614
Public Debt.						
Interest on Permanent Debt	24,512,753	..	25,860,666	..	23,747,752	
Terminable Annuities	3,924,184	..	3,958,503	..	3,960,073	
Management	135,991	..	135,703	—	99,422	
	28,572,928	..	29,954,877	..	27,927,267	
Interest on Exchequer Bills	688,084	..	531,844	..	426,607	
Total Debt		29,261,012		30,486,721		28,253,874
Civil Government. Civil List. Privy Purse.						
Salaries of the Household and Tradesmen's Bills	371,800	..	371,800	..	371,800	
The Allowances to the several Branches of the Royal Family, and to H.R.H. Leopold Prince of Cobourg (now King of the Belgians)	308,423	..	297,000	..	291,005	
The Lord Lieutenant of Ireland's Establishment	26,317	..	26,440	..	26,433	
The Salaries and Expenses of the Houses of Parliament (including Printing)	106,001	..	100,646	..	104,679	
Civil Departments, including Superannuation Allowances	510,394	..	538,593	..	486,760	
Other Annuities, Pensions and Superannuation Allowances on the Consolidated Fund, and on the Gross Revenue)	297,977	..	277,501	..	275,045	
Pensions, Civil List	5,907	..	6,285	..	7,165	
Total Civil Government		1,626,219		1,618,265		1,562,887
Justice.						
Courts of Justice	560,516	..	559,782	..	562,678	
Police and Criminal Prosecutions	566,438	..	594,312	..	581,365	
Correction	635,515	..	703,111	..	413,713	
Total Justice		1,782,469		1,857,205		1,537,756
Diplomatic.						
Foreign Ministers' Salaries and Pensions	178,456	..	181,186	..	175,192	
Consuls' Salaries and Superannuation Allowances	125,708	..	129,308	..	131,446	
Disbursements, Outfit	57,262	..	70,120	..	46,439	
Total Diplomatic		361,426		380,609		353,070
Forces.						
Army { Effective; Charge	3,633,471	..	3,801,752	..	4,446,605	
Army { Non-effective; Charge	2,363,685	..	2,376,962	..	2,297,984	
Total Army	5,997,156	..	6,178,714	..	6,744,589	
Navy. { Effective; Charge	5,199,445	..	4,467,201	..	5,478,119	
Navy. { Non-effective; Charge	1,406,611	..	1,391,018	..	1,331,754	
Total Navy	6,606,057	..	5,858,219	..	6,809,873	
Ordnance { Effective; Charge	1,748,346	..	1,763,365	..	1,944,082	
Ordnance { Non-effective; Charge	162,359	..	160,947	..	165,625	
Total Ordnance	1,910,704	..	1,924,312	..	2,109,707	
Total Forces		14,513,917		13,961,245		15,664,169
Army and Ordnance, Insurrection in Canada	..	25,300	..	..	..	..
China Expedition	..	416,056	..	404,984	..	..

Account of the Public Expenditure of the United Kingdom—continued.

Heads of Expenditure.	1843		1844		1845	
	£.	£.	£.	£.	£.	£.
Opium Compensation	..	1,245,823	..	11,773	..	23,251
Bounties, &c. for promoting Fisheries	..	11,286	..	17,742	..	11,733
Public Works	..	465,246	..	430,208	..	515,331
Payments out of the Revenue of Crown Lands, for Improvements and various Public Services	..	211,561	..	227,085	..	235,089
Post Office; Charges of Collection and other Payments	..	966,834	..	974,804	..	1,115,228
Quarantine and Warehousing Establishments	..	130,586	..	139,123	..	136,325
Miscellaneous, not classed under the foregoing heads	..	1,760,463	..	1,733,328	..	1,5 8,451
	..	55,501,740	..	55,103,647	..	53,373,083
Surplus of Income over Expenditure	..	1,433,283	..	3,486,570	..	3,72 ,185
Total Expenditure	..	56,933,022	..	58,5 0,217	..	57,002,268
Memorandum.—The Amount of Terminable Annuities on 5th January was	..	3,924,723	..	4,025,211	..	3,967,092
In corresponding Perpetuities, as estimated by Mr. Finlaison	..	1,550,762	..	1,558,043	..	1,501,132
Difference	..	2,373,961	..	2,467,168	..	2,465,960

An Account of the Public Income and Expenditure from 1822 *to* 1845, *both inclusive; showing the Amount of the Ordinary Revenue, after deducting Drawbacks and Repayments; the Extraordinary Revenue, and the Total Receipt of Revenue; also, the Charges of Collection and other Payments out of the Revenue in its Progress to the Exchequer; the Charges of the Public Debt, Funded and Unfunded; the Charges on the Consolidated Fund; the Amount expended under the Heads of Army, Navy and Ordnance; also, the Amount of Expenditure not under the Heads before enumerated, and the Total Expenditure.*—(Parl. Paper, No. 324, Sess. 1846.)

Years.	INCOME.			EXPENDITURE.					
	Ordinary Revenue, after deducting Drawbacks and Repayments.	Extraordinary Revenue.	Total Receipt of Revenue.	Charges of Collection and other Payments out of the Revenue, in its Progress to the Exchequer.	Charges of the Public Debt, Funded and Unfunded.	Other Charges on the Consolidated Fund.	Amount expended under the Heads of Army, Navy and Ordnance.	Amount expended for Miscellaneous Services.	Total Expenditure, being the Amount of the Five preceding Columns.
	£.	£.	£.	£.	£.	£.	£.	£.	£.
1822	50,340,454	483,270	50,823,724	5,688,091	31,343,551	2,641,440	13,500,437	2,103,797	55,079,316
1823	57,250,960	1,247,188	58,498,157	5,742,563	29,079,454	2,140,806	14,389,471	2,096,096	54,157,410
1824	57,615,479	2,214,212	59,829,691	5,413,461	30,166,421	2,770,386	15,142,152	2,449,149	55,941,519
1825	57,602,821	282,284	57,945,105	5,577,431	29,197,187	2,838,412	14,995,837	2,216,062	54,823, 49
1826	55,012,170	615, 23	55,628,703	5,397,364	29,228,467	2,883,976	16,707,602	2,566,783	56,274,712
1827	54,856,063	660,082	55,510,145	5,268,486	29,417,543	2,891,730	16,205,812	2,863,248	56, 36,819
1828	56,751,665	489,566	57,241,235	5,286,592	29,300,052	2,937,497	15,1 1,984	2,912,116	54,1 4,241
1829	55,576,556	352,407	55,934,263	5,148,280	29,155,811	2,252,569	15,120,861	2,405,661	54,223,412
1830	54,765,669	166,621	54,932,290	4,675,674	29,118,059	2,150,299	13,914,677	1,950,108	52,018,617
1831	50,891,814	130,794	51,012,608	4,503,167	29,341,416	1,348,773	14,379,056	2,854,013	51,711,465
1832	51,008,128	134,959	51,143,087	4,334,392	29,335,752	1,648,297	13,103,026	2,3 6,921	50, 96,388
1833	50,578,671	100,726	50,679,397	4,266,071	29,522,507	1,968,473	12,265,105	2,007,138	49,166,414
1834	50,746,678	84,593	50,831,271	4,321,415	29,504,096	2,270,158	12,066,057	2,061,395	49,223,116
1835	50,258,286	150,2 3	50,408,570	4,364,916	28,514,610	2,106,280	11,657,486	2,144,346	48,7o7,638
1836	52,837,124	111,473	52,949,397	4,246,743	29,243,599	2,036,685	12,112,068	2,279,310	50,8 ,305
1837	50,387,349	276,004	50,663,353	4,188,159	29,431,571	2,411,456	12,716,1 7	2,513,630	51,319,113
1838	51,146,605	228,715	51,375,320	4,048,061	29,250,233	2,403,159	13,220,750	2,7 2,540	51,720,743
1839	51,271,367	153,968	51,427,4 5	4,062,856	29,434,602	2,410,894	14,641,078	2,862,469	53,440,297
1840	51,634,091	216,062	51,850,083	4,282,317	29,381,718	2,455,326	14,122,267	2,529,625	53,441,033
1841	52,197,111	166,638	52,363,049	4,379,339	29,450,145	2,568,143	13,23 ,781	2,227,660	54,463,318
1842	50,7 1,505	264,746	51,244,335	4,278,704	29,428,120	2,358,202	16,1 9,030	2,3 0,757	5 ,222,873
1843	55,432,204	1,512,833	56,945,043	4,362,226	29,268,180	2,389,694	14,1 55,273	4,525,186	55,501,759
1844	57,773,0 0	686,661	58,459,751	4,455,997	30,495,459	2,694,012	14,966,209	3,091,168	55,103,645
1845	55,349,468	1,341,236	57,690,704	4,630,350	29,253,972	2,598,524	15,664,169	2,726,147	53,873,063

Mem.—For the purpose of continuing the statement upon the same principle throughout, it has been necessary to exclude the Receipts from and Payments to the Trustees of Naval and Military Pensions in the Years previous to 1829. The Annuity paid to the Bank of England in those Years, under the Act 4 Geo. IV. c. 21, is included under the head of "Charge of the Debt," according to the system pursued in the Finance Accounts for the subsequent years. The Annuities charged on the Sinking Fund are also added to the Charge of the Debt.

The Advances and Repayments on account of Public Works are excluded from this Account for the Years previous to 1829, an alteration having taken place from that period in the mode of stating the Accounts, pursuant to the recommendation of the Finance Committee, by which those Advances and Repayments no longer appear in the Abstract, No. 4.

The Figures in the first Seven Years of the period will not correspond with the printed Accounts to the extent of these alterations.

SECT. 3.—*Local Taxation and Expenditure.*

EXCLUSIVE of the taxes imposed for public purposes, a large amount of revenue is collected in Great Britain and Ireland for objects of local expenditure. This is principally effected by means of county rates, of which the poor rates form, in England and Wales, by far the most important item; they also include rates for the maintenance of gaols and houses of correction, the prosecution of criminals, the repair of roads, bridges, &c. In towns there are rates for defraying the cost of police, and of lighting, cleaning, &c. These different rates amount in the aggregate to a very large sum.

It has been the uniform intention of the Legislature, as evinced by the different Acts on this subject from the 22nd Henry VIII., cap. 5, down to the 55th Geo. III., cap. 51, that the county rates should fall equally on all sorts of property, whether real or personal. But the practical difficulties in the way of taxing stock in trade, profits, or monied property, having been found to be quite insuperable, the rates in question have been always, or almost always, defrayed by assessments on land, buildings, and other fixed property. The principle on which these have been assessed has varied in different parts of the country; and in some counties the assessments to the county rate were continued on the same footing for a very long series of years, notwithstanding great changes had taken place in the interim.* In consequence, very striking inequalities in the amount of the assessment imposed on the different species of real property grew up in many places, and occasioned many well-founded complaints. But within the last few years these inequalities have been materially reduced. The land, no doubt, is still too heavily taxed, but the excess of taxation falling on it, as compared with that falling on houses and other immoveable property, is decidedly less now than formerly.

I. *Summary of the Expenditure of County Rates in England and Wales for* 1792 *and* 1832, *or for such other Year as could be obtained nearest to each Period under the subjoined Heads, with the Increase or Decrease of each.*—(Lords' Report of 1835 on County Rates, p. 275.)

Heads of Charge.	EXPENDITURE. 1792, or other Year.			1832, or other Year.			Gross Increase.			Gross Decrease.			Nett Increase.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Bridges	42,237	0	0	74,501	0	0	46,503	0	0	14,239	0	0	32,264	0	0
Gaols, Houses of Correction, &c.	92,319	0	0	177,245	0	0	120,047	0	0	35,121	0	0	84,926	0	0
Prisoners, Maintenance of, &c.	45,785	0	0	127,297	0	0	81,325	0	0	9,813	0	0	81,512	0	0
Vagrants	16,807	0	0	28,723	0	0	15,435	0	0	3,519	0	0	11,916	0	0
Prosecutions	34,218	0	0	157,119	0	0	123,374	0	0	473	0	0	122,901	0	0
Lieutenancy and Militia	16,976	0	0	2,116	0	0	923	0	0	15,783	0	0			
Constables	659	0	0	26,688	0	0	26,027	0	0	8	0	0	26,029	0	0
Professional	8,950	0	0	31,103	0	0	23,129	0	0	1,016	0	0	22,113	0	0
Coroners	8,153	0	0	15,254	0	0	7,535	0	0	434	0	0	7,101	0	0
Salaries	16,315	0	0	51,401	0	0	38,008	0	0	2,922	0	0	35,086	0	0
Incidental	17,456	0	0	32,931	0	0	24,987	0	0	9,512	0	0	15,475	0	0
Miscellaneous, Printing, &c.	15,890	15	7½	59,061	14	10½	48,692	0	9¾	5,519	1	6¾	43,172	19	3
Total	315,805	15	7½	783,441	14	10½	565,995	0	9¾	98,359	1	6¾	482,495	19	3

* See Lords' Report of 1835 on County Rates, p. 321.

Account showing the Annual Value of Real Property in each County in England and Wales Assessed to the Poor Rates, for the Year ended Lady-day, 1841; distinguishing Landed Property, Dwelling Houses, and all other Kinds of Property; also the Total Amount levied for Poor Rates and County Rates in that Year, and the Rate per Pound of such Levy, on the Annual Value of Real Property; with the Population of each County, according to the Census of 1841; and the Area of each County in English Statute Acres; with the Total Annual Value of Real Property in 1815.—(Parl. Paper, No. 235, Sess. 1842.)

Counties.	Total Annual Value of Real Property in 1815.	Net Rental, or Annual Value of Real Property, Assessed to the Poor Rates for the Year ended Lady-day, 1841.				Total Amount of Money Levied for Poor Rates, for the Year ended Lady-day, 1841.	Rate in the £. on Annual Value of Real Property Assessed		Population, according to the Census of 1841.	Rate per Head of Annual Value of Real Property		Area in English Statute Acres.	Annual Value of each Acre.	
		Landed Property.	Dwelling Houses.	All other Kinds of Property*	Total Annual Value of Real Property Assessed.									
England.	£.	£.	£.	£.	£.	£.	s.	d.	£.	£.	s. d.	£.	£.	s. d.
Bedford	343,683	326,684	159,816	8,896	495,356	51,876	2	1	107,937	4	12 10	297,639	1	1 11
Berks	652,082	477,570	199,999	54,547	732,116	52,109	2	6	160,226	4	11 5	472,270	1	0 3
Buckingham	644,136	545,157	95,797	33,420	674,334	92,955	2	9	155,969	4	6 6	465,280	1	3 6
Cambridge	655,221	581,761	239,079	47,844	868,684	60,238	2	1	164,509	5	5 7	595,733	1	1 8
Chester	1,683,484	778,560	447,634	198,241	1,423,435	104,697	1	6	395,309	3	12 6	649,599	1	4 0
Cornwall	916,660	603,119	189,408	115,552	909,479	103,947	2	3	341,269	2	13 4	854,270	0	14 1
Cumberland	705,446	407,573	147,920	50,359	606,352	42,958	1	5	177,012	3	18 3	969,460	0	10 3
Derby	887,659	625,396	160,777	80,315	866,488	81,194	1	10	272,202	3	3 8	663,180	0	18 10
Devon	1,897,515	1,241,5 3	490,521	120,693	1,852,144	225,780	2	5	583,731	3	9 5	1,686,450	0	19 2
Dorset	694,296	550,567	149,125	36,542	735,234	98,769	2	8	174,743	4	4 2	627,220	0	17 7
Durham	791,355	516,971	213,286	200,391	931,348	92,985	2	0	324,277	2	17 5	679,520	0	15 3
Essex	1,556,836	1,018,150	445,953	121,116	1,585,719	213,715	2	8	344,993	4	12 0	979,000	1	0 10
Gloucester	1,463,266	858,957	73 ,201	144,039	1,182,197	182,557	2	1	431,307	4	2 8	750,470	1	2 9
Hereford	604,614	552,853	102,291	25,531	681,215	52,838	1	7	114,438	5	19 1	543,500	1	0 4
Hertford	571,107	386,341	220,479	61,293	667,710	71,361	2	2	157,237	4	4 11	400,270	0	19 4
Huntingdon	320,184	226,653	71,221	9,864	317,718	32,479	2	1	58,699	5	8 3	241,590	0	19 7
Kent	1,644,179	1,044,990	378,472	188,201	2,111,675	265,352	2	6	548,161	3	17 1	972,240	1	1 6
Lancaster	3,087,774	1,402,208	2,449,1 6	1,415,202	5,266,406	429,017	1	8	1,667,054	3	3 2	1,117,260	1	5 1
Leicester	502,217	696,914	221,771	21,114	934,799	95,316	2	0	215,855	4	6 6	511,340	1	7 9
Lincoln	2,081,830	1,766,740	300,348	60,219	2,127,307	140,513	1	4	362,717	5	17 4	1,663,830	1	1 3
Middlesex	5,595,337	304,633	6,680,202	308,514	7,293,369	668,527	1	10	1,576,616	4	12 6	179,550	1	14 0
Monmouth	295,067	251,019	119,974	50,057	421,050	39,182	1	10	134,349	3	2 8	324,310	0	15 6
Norfolk	1,549,952	1,109,181	488,730	197,233	1,795,224	226,079	2	6	412,621	4	11 10	1,292,200	0	18 8
Northampton	942,162	748,116	159,621	33,658	940,395	102,110	2	2	199,061	4	14 6	646,810	1	2 3
Northumberland	1,240,524	740,009	324,157	261,646	1,326,414	81,239	1	3	250,228	5	6 0	1,165,430	0	18 9
Nottingham	73 ,230	563,840	252,256	40,605	856,675	83,205	1	11	249,779	3	8 2	525,160	1	1 5
Oxford	713,147	523,342	149,650	17,852	690,792	88,268	2	6	161,573	4	6 1	467,380	1	2 7
Rutland	133,487	106,119	9,104	3,911	119,134	9,114	1	6	21,340	5	11 8	97,500	1	1 9
Salop	1,037,281	874,316	213,251	82,441	1,170,008	79,253	1	4	239,014	4	17 11	864,360	1	0 3
Somerset	1,900,651	1,361,547	567,776	121,103	2,050,516	199,569	1	11	436,002	4	15 8	1,028,090	1	6 6
Southampton	1,130,952	723,087	341,259	87,710	1,262,056	102,453	2	0	354,940	3	16 9	1,018,550	0	14 2
Stafford	1,150,215	909,102	623,702	422,886	2,086,760	127,220	1	3	516,206	3	16 8	736,200	1	4 5
Suffolk	1,127,404	912,962	302,059	83,335	1,297,356	175,795	2	9	315,129	4	2 5	946,760	0	19 10
Surrey	1,579,173	376,644	1,409,180	141,669	1,927,493	263,597	2	9	582,213	3	6 2	674,480	0	15 11
Sussex	915,348	611,320	472,443	85,467	1,169,230	168,206	2	11	299,779	3	18 0	937,520	0	13 6
Warwick	1,236,727	713,350	300,427	505,930	1,609,747	171,445	2	1	402,121	4	3 1	567,520	1	5 1
Westmorland	208,199	221,054	37,374	7,907	266,335	22,629	1	8	56,469	4	14 4	485,950	0	9 1
Wilts	1,185,453	899,078	219,534	55,807	1,175,616	176,750	3	0	260,007	4	10 5	869,620	1	0 8
Worcester	799,605	695,610	323,007	66,625	995,242	96,185	1	11	253,484	4	5 3	459,740	1	6 4
York, E. Riding	1,150,326	760,942	271,238	79,607	1,111,207	83,018	1	6	231,998	4	15 10	763,800	0	19 11
,, N. Riding	1,145,258	845,547	191,681	84,057	1,011,505	65,718	1	4	204,662	4	18 11	1,275,800	0	13 3
,, W. Riding	2,302,886	1,449,007	1,414,280	460,905	3,324,802	390,211	1	11	1,154,924	2	17 7	1,629,650	0	17 9
Totals of England	49,744,622	30,448,991	22,901,472	6,244,949	59,685,412	6,009,564	Average 2	0	14,995,508	Average 3	19 7	31,770,615	Average 0	19 2
Wales.														
Anglesey	92,589	164,637	15,785	11,191	191,613	19,864	2	1	50,850	3	15 4	173,440	0	19 0
Brecon	146,539	170,397	52,911	19,355	242,663	19,228	1	7	53,295	4	11 1	462,560	0	7 1
Cardigan	141,889	143,330	16,929	6,852	167,111	21,221	2	9	69,380	2	8 11	432,000	0	6 8
Caermarthen	277,455	285,188	31,653	21,362	338,403	40,188	2	5	106,402	3	3 7	623,360	0	9 2
Caernarvon	125,198	125,387	34,924	22,655	183,166	28,703	3	2	81,068	2	5 2	348,160	0	7 3
Denbigh	223,494	262,635	42,563	30,341	335,539	41,713	2	6	89,291	3	15 2	405,120	0	13 0
Flint	158,230	147,870	48,561	25,834	214,971	24,184	2	3	66,547	3	4 4	156,160	0	18 11
Glamorgan	324,198	226,652	69,043	80,797	376,492	42,251	2	3	173,462	2	3 5	566,880	0	8 11
Merioneth	111,436	99,231	12,936	4,245	116,465	16,907	2	11	29,228	3	19 4	434,320	0	4 8
Montgomery	267,286	247,350	25,629	9,302	282,340	42,044	3	0	69,220	4	1 7	556,960	0	9 8
Pembroke	219,589	221,167	39,115	15,830	276,112	29,756	2	3	88,162	3	2 7	350,400	0	14 4
Radnor	99,717	112,046	12,621	5,986	130,653	13,603	2	1	25,186	5	3 9	272,640	0	8 3
Totals of Wales	2,153,601	2,206,146	394,929	233,513	2,834,618	342,264	Average 2	5	911,321	Average 3	2 8	4,752,060	Average 0	9 3
Totals of England and Wales	51,898,223	32,655,137	23,296,401	6,493,492	62,520,030	6,351,828	Average 2	0	15,906,829 †	Average 3	18 5	36,522,615	Average 0	17 11

Note.—The Returns from which the above Abstract is made, were obtained by the Poor Law Commissioners from the overseers of each parish or other place in England and Wales maintaining its own poor.

* Mills, factories, manorial profits, mines, iron works, &c.

† Exclusive of 4,896 persons ascertained to have been travelling by railways and canals during the night of 6th June, 1841.

The Poor Law Commissioners have laid before the House of Commons the following returns in regard to the local taxation of the United Kingdom. Though in various respects incomplete, they present in a condensed form almost all the existing information on the subject.

Amount of Money levied for Poor Rates in England and Wales, for each of the Years ended Lady-day, 1826, 1833, and 1841, distinguishing the Amount levied on Landed Property, Dwelling-houses, and "all other kinds of Property."

Years ended Lady-day,	Amount of Money Levied by Assessment.						
	On Landed Property.	Proportion per Cent.	Dwelling Houses.	Proportion per Cent.	All other Property.	Proportion per Cent.	Total Amount Levied.
	£.		£.		£.		£.
1826	4,795,482	69	1,814,228	26	356,447	5	6,966,157
1833	5,434,890	63	2,635,2,8	31	536,353	6	8,606,501
1841	3,316,5.3	52	2,375,921	37	660,014	11	6,351,828
Average	4,515,655	62	2,273,902	31	517,605	7	7,308,162

Annual Value of Real Property Assessed to the Poor Rate in England and Wales, in the Year ended Lady-day, 1841, distinguishing Landed Property, Dwelling-houses, and all other kinds of Property.

Landed Property.	Proportion per Cent.	Dwelling Houses.	Proportion per Cent.	All other Property.	Proportion per Cent.	Total Annual Value.
£.		£.		£.		£.
32,655,137	52	23,386,401	37	6,498,492	11	62,540,030

A Statement of the Total Amount of Local Taxation in Great Britain and Ireland, so far as it can be ascertained from Documents in the Office of the Poor Law Commissioners,—the latest available information being taken in each case.

ENGLAND AND WALES.

	£.	£.	£.
Rates:			
Poor Rate, year ending 25th March, 1844:			
Expenditure for the poor	4,976,093		
Expenditure for miscellaneous purposes	567,567		
	5,543,660		
Paid for County, Police, and Borough Rate	1,356,457		
		6,900,117	
Workhouse Building Rate, Survey and Valuation Rate } not levied separately, their purposes being provided for out of the Poor Rate		. .	
Gaol Fees Rate		unknown.	
Constables' Rate		unknown.	
Highway Rates, 1839		1,169,891	
Lighting and Watching Rate		unknown.	
Militia Rate (not levied now, the militia being disembodied)		. .	
Church Rates, year ending Easter, 1839		506,812	
Sewers' Rates (estimated for the metropolis, at per annum)		75,000	
Drainage and Inclosure Rates		unknown	
County and Police Rates:			
Year ending Michaelmas, 1844	£ 963,223	See above, Poor Rate.	
Borough Rates (year ending 31st August, 1843)	246,743	See above, Poor Rate.	
Shire Hall Rate, County Lunatic Asylum Rate, County Burial Rate } probably not levied separately; but their purposes provided for out of the County Rate		. .	
Hundred Rate (only levied when occasion arises, to compensate for damage done in riots)		. .	
			8,651,629
Tolls, Dues, and Fees:			
Borough Tolls and Dues (year ending 31st August, 1843)		172,911	
City of London, 1841		148,521	
Turnpike Tolls (year ending 31st December, 1843)		1,346,084	
Light Dues (year 1843)		243,023	
Port Dues (annual income of all the ports in England)		525,400	
Fees in administration of justice: to justices' clerks, annual average 1830 to 1834		57,068	
Fees in administration of justice: to other officers		unknown.	
			2,535,207
			11,187,027

A Statement of the Total Amount of Local Taxation, &c.—continued.

SCOTLAND.

	£.	£.	£.
Rates:			
Poor Rate, 1841—Legal assessment	129,335		
Voluntary assessment	23,564		
Kirk collections	37,466		
Other receipts	28,116		
		218,481	
Statute Labour Rate		unknown.	
Church and Manse Rate		unknown.	
School Rate		unknown.	
Lighting and Watching Rates		unknown.	
Militia Rate		unknown.	
Bridge-money Rate		unknown.	
Prisons Rate:			
The assessments on the several counties, for building prisons under the General Board of Directors, in the year 1842, is stated by them (Fourth Rep. App. No. 15) to have been		47,290	
It is stated, in the Tenth Annual Report of the Inspector of Prisons for Scotland, that the cost of the prisons in Scotland in the year 1843-44 (exclusive of that of building new prisons), after deducting the money received for prisoners' work, was somewhat more than		36,000	
Rogue-money Rate		unknown.	
Rural Police Rate		unknown.	
Burgh Cess (1821)		8,777	
Borough Police Rate		unknown.	
			310,548
Dues:			
Light Dues (1843)		44,117	
Port Dues (annual income of all the ports in Scotland)		176,000	220,117
			530,665

IRELAND.

	£.	£.
Rates:		
Poor Rate (collected in the year ended 29th September, 1844)	256,658	
County Cess (average annual amount ordered to be levied in the three years, 1841, 1842, and 1843)	1,158,198	
		1,414,856
Dues:		
Light Dues (1843)	53,335	
Port Dues (annual income of all the ports in Ireland)	93,000	
		146,335
		1,561,191

TOTAL.

		£.	£.
England and Wales	Rates	8,651,820	
	Dues	2,535,207	
			11,187,027
Scotland	Rates	310,548	
	Dues	220,117	
			530,665
Ireland	Rates	1,414,856	
	Dues	146,335	
			1,561,191
			13,278,883

And allowing for the various items omitted in these accounts, it may be safely concluded that the local taxation of the United Kingdom exceeds 14,000,000*l.* a-year.

The local taxation of Ireland principally consists of the county cess, or the sums annually raised in the different counties by Grand Jury presentments for different purposes. From 1829 down to 1844, both inclusive, the county cess has been—

Years.	Amount	Years.	Amount.	Years.	Amount.	Years.	Amount.
	£.		£.		£.		£.
1829	895,415	1833	981,406	1837	1,023,964	1841	1,240,672
1830	879,775	1834	1,009,126	1838	1,138,865	1842	1,191,684
1831	887,861	1835	936,137	1839	1,215,540	1843	1,151,110
1832	945,849	1836	1,037,969	1840	1,269,580	1844	1,129,432

We subjoin a summary—

Account of the various Sums passed by the Grand Juries of the several Counties, Cities, &c., of Ireland, in 1844, *specifying the Amounts presented under each head of Expenditure, with their Totals for each County, City, &c., and for the Kingdom.*

| Counties, &c. | HEADS OF EXPENDITURE. | | |

Sect. 4.—*National Debt.*

The practice of borrowing money, in order to defray part of the war expenditure, was introduced into this country in the reign of William III., and has ever since been acted upon. How much soever opinions may differ as to the policy of borrowing or funding in ordinary times, it could not, at its introduction into Great Britain, be dispensed with. The Revolution involved us in a bloody and expensive contest with Louis XIV., then in the zenith of his power, who espoused the cause of the exiled family of Stuart. But, though great and imminent, the danger from without was inferior to that from within. A numerous and powerful party were favourable to the views of the Pretender; and the imposition of such an additional load of taxes as would have been required to defray the heavy cost of the contest we were obliged to wage for our liberties and religion, would have given a violent shock to industry, and afforded the Jacobites the means of traducing the new government, of fomenting popular discontent, and, most probably, of overturning the revolutionary establishment. Under such circumstances, the contraction of debt was not really a matter of choice, but of necessity. The error, if there has been any, consisted in continuing the system of loans, after the new government was firmly established; and when either the whole or a larger portion of the war expenditure might have been defrayed by taxes raised within the year.

In the infancy of the funding system it was customary to borrow upon the security of some tax, or portion of a tax, set apart as a fund for discharging the principal and interest of the sum borrowed. This discharge was, however, very rarely effected. The public exigencies still continuing, the loans were, in most cases, either continued, or the taxes were again mortgaged for fresh ones. At length the practice of borrowing for a fixed period, or, as it is commonly termed, upon *terminable* annuities, was almost entirely abandoned, and most loans were made upon *interminable* annuities, or until such time as it might be convenient for government to pay off the principal.

In the beginning of the funding system, the term fund meant the taxes or funds appropriated to the discharge of the principal and interest of loans; those who held government securities, and sold them to others, selling, of course, a corresponding claim upon some fund. But after the debt began to grow large, and the practice of borrowing upon interminable annuities had been introduced, the meaning attached to the term fund was gradually changed; and instead of signifying the security upon which loans were advanced, it has, for a long time, signified the principal of the loans themselves.

Owing partly, perhaps, to the scarcity of disposable capital at the time, but far more to the supposed insecurity of the revolutionary establishment, the rate of interest paid by government in the early part of the funding system was comparatively high. But as the country became richer, and the confidence of the public in the stability of government was increased, the rate of interest was proportionally reduced.

During the reigns of William III. and Anne, the interest stipulated

for loans was very various. But in the reign of George II. a different practice was adopted. Instead of varying the interest upon the loan according to the state of the money market at the time, the rate of interest was generally fixed at *three* or *three and a half* per cent.; the necessary variation being made in the *principal funded*. Thus, suppose government were anxious to borrow, that they preferred borrowing in a 3 per cent. stock, and that they could not negotiate a loan for less than 4½ per cent., they effected their object by giving the lender, in return for every 100*l.* advanced, 150*l.* of 3*l.* per cent. stock; that is, they bound the country to pay him or his assignees 4*l.* 10*s.* a-year in all time to come, or otherwise to extinguish the debt by a payment of 150*l.* In consequence of the prevalence of this practice, the principal of the debt now existing amounts to nearly *two-fifths* more than the sum actually advanced by the lenders.

This system of funding has been in the last degree injurious, though some advantages are either derivable, or supposed to be derivable from it. No doubt it renders the management of the debt, and its transfer, more simple and commodious than it would be did it consist of a number of funds bearing different rates of interest; and it is contended that the greater field for speculation afforded to the dealers in stocks bearing a low rate of interest, has enabled government to borrow, by funding additional capitals, for a considerably less payment on account of interest than would have been necessary had such increase of capital not been made.

In point of fact, however, these advantages are but inconsiderable, while the disadvantages inseparable from the practice of funding a large amount of stock at a low rate of interest are great and lasting. During war, especially if any considerable portion of its expenditure be defrayed by means of loans, the rate of interest uniformly rises, and is usually much higher than during peace. If, therefore, loans were funded in stocks bearing a rate of interest equivalent to the market rate when they happen to be contracted for, the charge on their account might be reduced soon after the return of peace, according to the fall in the rate of interest; whereas, when loans are funded in stocks bearing a low rate of interest, with a corresponding increase of capital, it may be impossible to take advantage of the fall of interest at the return of peace, and the country may be burthened with the war interest for an indefinite period. It is not easy to exaggerate the injury we have sustained by overlooking this plain principle. In 1815, to specify only one of many similar instances, government bargained for a loan of 36,000,000*l.*, it being stipulated that every subscriber of 100*l.* should be entitled to 174*l.*, 3 per cent. stock, and 10*l.*, 4 per cent. stock, making the interest on the loan 5*l.* 12*s.* 4*d.* per cent. The extreme improvidence of this transaction is obvious. Had from 5*l.* 15*s.* to 6*l.* per cent. of interest been paid for the loan, it might have been obtained without funding any additional capital: and had that been done, we should have been able, within four or five years, in consequence of the fall of interest after the peace, to reduce the charge on account of the loan to 3 or 3½ per cent.; but, owing to the way in which the contract was made, we have not had, and will not have, any means of reducing the exorbitant charge on account of this loan, so long as the

market rate of interest is above 3 per cent., except by paying 174*l.* for every 100*l.* originally received, exclusive of the 10*l.*; of 4*l.* per cent. stock! But this, as already stated, is only one instance out of many of the same sort. We believe, indeed, that we are within the mark when we affirm that, owing to this erroneous method of funding, the country is at present paying from 6,000,000*l.* to 7,000,000*l.* a year on account of the public debt more than it would have had to pay, had the same sums been borrowed and funded without any increase of capital.

We have said that an interest of from 5*l.* 15*s.* to 6*l.* per cent., instead of the stipulated interest of 5*l.* 12*s.* 4*d.* per cent., would have enabled the loan of 1815 to be funded without any increase of capital; and this is not a hypothetical statement. In the year in question, 18,000,000*l.* of exchequer bills were funded in a 5 per cent. stock, at the rate of 117*l.* stock for every 100*l.* exchequer bills. This was equivalent to an interest of 5*l.* 17*s.* per cent., being only 4*s.* 8*d.* more than the interest paid on the loan, though the subscribers to the latter had 84*l.* of artificial capital created for every 100*l.* advanced, and the holders of the bills, only 17*l.* of artificial capital! But, in point of fact, the differences in the rates of interest, after allowing for certain circumstances connected with the loans, amounted to only 2*s.* 2*d.* per cent.! This shows how little the saving in the charge on account of interest, by funding increased capitals, deserves to be considered as at all detracting from the great public loss occasioned by indulging in so wasteful a practice.*

That this improvident system should have been so extensively acted on by our finance ministers during the American and French wars is the more surprising, seeing that experience had already demonstrated the advantages of funding limited capitals at a comparatively high rate of interest. Owing, as already stated, to the scarcity of capital, and the supposed instability of the revolutionary establishment, the loans during the reigns of William III. and Anne were mostly contracted at a very high rate of interest. Luckily, however, this was not attempted to be disguised by assigning to the parties large amounts of stock bearing a low rate of interest. The stock created was the exact amount of the loans, the interest on it being increased according to the supposed insecurity of the government, the scarcity of floating capital, &c. Now, mark the consequences of this. So early as 1716, Sir Robert Walpole, availing himself of the greater facility with which money was procured after the treaty of Utrecht, and of the greater stability of the government, was able, by offering to pay off the creditors, to reduce the charge on account of the debt from 1,598,602*l* to 1,274,146*l.*, being a saving of 324,456*l.*, or about one-fifth part of the entire charge. In 1727, a farther saving of about 340,000*l.* a-year was effected by reducing the interest on the greater portion of the debt from 5 to 4 per cent. And in 1749, during the administration of Mr. Pelham, the interest was again reduced from 4 to 3 per cent., a measure which produced a fresh saving of 565,000*l.* a-year.

Happily the practice of funding in a 5 per cent. stock, was not entirely abandoned during the late war. In 1822 the total British and

* for a further and full discussion of this subject, see the *Treatise on Taxation* and the *Funding System*, by the author of this work, pp. 427-445.

Irish 5 per cent. stock amounted to about 150,000,000*l.*; and, by offering to pay it off, a reduction of interest was then effected to the extent of about 1,200,000*l.* a-year! And, since that period, further savings have been effected by the reduction of the interest on the 4 and 4½ per cent. stock. But, unfortunately, the far greatest proportion of the debt created during the late war, and that with the American colonies, was funded in the 3 per cents.; and, as already stated, the charge on that portion has, in consequence, been hitherto, and will, most probably, continue to be, for an indefinite period, unsusceptible of diminution.

Payment of National Debt.—Sinking Fund.—The payment of the national debt can be effected only by applying to that purpose such surplus revenue as the treasury may have to dispose of. But it was contended by the founders of the sinking fund, established in 1716, and still more strongly by Dr. Price and Mr. Pitt, the founders of the sinking fund of 1786, that if a certain amount of revenue be applied to buy up stock, and if the dividends on that stock be afterwards uniformly applied to the same object, the sinking fund will increase, at *compound interest*, so that the largest amount of debt might be defrayed almost without an effort. Dr. Price illustrated the operation of this principle by calculating the number of *globes of gold*, to which a penny laid out at compound interest at the birth of Jesus Christ would now amount, to! But though a calculation of this sort be theoretically true, it is practically false and absurd. No sinking fund, even though it consisted of a clear surplus revenue, ever really operates at compound interest. It is, no doubt, true that, by constantly applying the same amount of free revenue, and the dividends accruing on the purchases, to buy up stock, the reduction of the latter is effected in the *same way* as if the free surplus revenue were increasing, by an inherent energy of its own, at compound interest; but it is essential to know that, though the *modus operandi* be the same, the means are radically and totally different. The debt is reduced because a portion of the produce of the taxes is systematically applied to pay it off, and not otherwise. To make capital increase at compound interest, it must be employed in some sort of productive industry; and the profits, instead of being consumed as income, must be regularly added to the principal, to form a new capital. It is unnecessary to say that no such sinking fund has ever existed. Those that have been set on foot in this and other countries have all been supported either by loans or by the produce of taxes, and have never paid off a single farthing of debt by their own agency.

It is clear, from this statement, that when there is no surplus revenue, there can be no sinking fund. Dr. Price, however, did not scruple to lay it down broadly, that to suspend the sinking fund during war, though the expenditure might then greatly exceed the income, would be the greatest imaginable folly.* And, inconceivable as it may now appear, all parties in parliament concurred in the soundness of this opinion, and approved the policy of keeping up the sinking fund machinery during the whole of the last war! Hence, the loans for the service of the year were increased by the entire amount of the sums placed at the disposal of the sinking fund commissioners; so that

* Appeal to the Public on the Subject of the National Debt, p. 17. ed. 1774.

for every shilling's worth of stock transferred to them by this futile proceeding, an equal amount of *new debt* was contracted, exclusive of the loss incurred through the expense of management, &c.

For upwards of twenty years this wretched juggle was kept up; parliament and the nation believing, notwithstanding the most decisive experience to the contrary, that it was rapidly diminishing the public debt! Dr. Hamilton, of Aberdeen, has the merit of having dissipated this delusion, the grossest, certainly, that ever imposed on any people.

He showed, in his work on the national debt, published in 1813, that the sinking fund, instead of diminishing, had added to the debt; and he proved to demonstration, that the *excess of revenue above expenditure* is the only sinking fund by which any part of the national debt can ever be discharged. "The increase of revenue," he observes, "or the diminution of expence, are the only means by which the sinking fund can be enlarged, and its operations rendered more effectual; and all schemes for discharging the national debt, by sinking funds operating at compound interest, or in any other manner, unless in so far as they are founded upon this principle, are completely illusory." We subjoin an account illustrative of the progress of the funding and sinking fund systems during the war:—.

Account of Loans contracted in each Year from 1793 *to* 1816, *both inclusive; of the Total Charge on account of these Loans; of the Portions of them paid to the Commissioners of the Sinking Fund; and of the Amount of the Dividends on the Stock purchased by said Commissioners.* (Parliamentary Paper, No. 145, Sess. 1822.)

Years ending 1st February.	Amount of Loans contracted in each Year.	Total Annual Charge of Dividends and Annuities on such Loans.	Account of the Portions of the Loans paid to the Commissioners of Sinking Fund.	Amount of the Dividends on the Stock purchased by the Commissioners.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1794	4,500,000 0 0	187,500 0 0	1,630,615 1 4	65,232 3 0
1795	12,907,451 2 2	599,117 18 11½	1,872,200 4 2	64,148 7 0
1796	42,090,646 3 2	2,132,363 17 10	2,143,595 16 1	97,573 13 0
1797	42,758,196 2 0	2,274,423 4 8½	2,639,724 0 5	131,720 2 0
1798	14,620,000 0 0	935,579 0 0	3,361,752 11 3	201,484 11 0½
1799	18,000,000 0 0	1,105,602 10 0	3, 81,252 13 2	235,743 5 4½
1800	12,500,000 0 0	656,250 0 0	4,283,268 15 0	216,640 2 5½
1801	18,500,000 0 0	971,250 0 0	4,620,479 1 7	219,450 1 2½
1802	34,410,450 0 0	1,775,590 10 4½	5,117,723 2 2	240,593 12 4½
1803	23,600,000 0 0	910,541 5 0	5,625,542 6 6	246,236 12 7
1804	10,000,000 0 0	512,083 6 8	6,018,179 8 9	315,817 5 9½
1805	11,526,699 6 3	654,631 12 3½	6,521,394 7 2	344,710 15 2½
1806	20,000,000 0 0	1,032,000 0 0	7,181,482 3 3	367,021 18 4½
1807	18,060,000 0 0	866,400 0 0	7,829,538 19 3	384,212 2 0
1808	12,200,000 0 0	577,060 0 0	8,708,173 17 3	425,142 4 2½
1809	12,000,000 0 0	597,743 13 6	9,351,853 9 1	455,723 2 7
1810	19,582,100 0 0	947,312 4 3	10,170,104 15 9	481,442 16 4½
1811	16,311,000 0 0	765,955 7 6	10,813,016 15 9	544,417 7 0
1812	24,000,000 0 0	1,191,735 11 6½	11,543,881 2 7	588,253 5 2½
1813	27,871,325 0 0	1,486,271 11 0	12,439,631 19 3	723,626 0 2½
1814	38,763,100 0 0	3,220,579 16 4½	14,181,066 5 4	774,490 19 4½
1815	18,500,000 0 0	851,332 13 0	12,744,231 12 8	574,490 19 4½
1816	45,135,539 3 6	2,577,820 2 9½	11,902,651 2 8	602,402 18 9½
1817	3,000,000 0 0	90,000 0 0	11,491,070 2 6	555,586 13 7
Total . . Sums raised on account of Ireland in Britain . . .	520,124,556 17 1	20,849,814 12 9½	176,648,860 2 8	9,595,597 5 2½
	64,750,000 0 0	3,324,549 11 8	11,973,489 16 10	572,635 7 5
	584,874,556 17 1	30,174,364 4 5½	188,622,349 19 6	9,168,232 12 8
	138,522,849 19 6	9,166,232 12 8		
	396,352,067 17 7	21,006,131 11 9½	Amount of loans, and of the interest payable on them, raised in Great Britain, to defray war expenditure in the period from 1793 to 1816, both inclusive. There was added, on account of the above sum of 396,352,000*l.* of money borrowed, 5.2,380,000*l.* to the funded debt of the country, being an increase of fictitious capital of 178,025,000*l.*	

Had, therefore, the sinking fund machinery not been kept on foot during the war, instead of borrowing 585,000,000*l.*, it would not have

been necessary to borrow more than about 396,000,000*l.*: and owing to the diminished amount of the loans, they would have been obtained at a lower rate of interest. Hence the sinking fund has been a costly, as well as a most delusive, piece of quackery. The loss it entailed on the country during the war has been estimated, apparently on reasonable grounds, at above 600,000*l.*

At length, the folly of contracting debt, for no other purpose but to pay it off, became obvious to every one; and the nominal amount of the sinking fund began to be diminished after the close of the war. In 1819, it was attempted to form a real sinking fund of 5,000,000*l.*; that is, to maintain a real surplus revenue of that extent. But as this could not always be done, an end was at length put to the entire system in 1829; the Act 10 Geo. IV. c. 27, having enacted, that the sum applicable in future to the reduction of the national debt should be the surplus, if any, of the total revenue beyond the total expenditure of the kingdom.

Distribution of the Dividends, or Interest on the National Debt.—It appears from the subjoined account of the number of dividend warrants issued during the half-year ending the 5th of January, 1833, since which they have not materially varied, that they amounted in all to about 280,000. The large number (87,176) of holders of stock not producing above 5*l.* of half-yearly dividend, is principally, we believe, ascribable to the circumstance of the Bank of England and the majority of the London banks not allowing interest on deposits.

We may observe, by the way, that the number of persons having a direct interest in the funds is much greater than it would appear to be from this account. The dividends upon the funded property belonging to the Bank of England and other banks, to the Equitable and other insurance companies, &c., are paid upon single warrants, as if they were due to so many private individuals; whereas they are really paid to these individuals only because they act as factors or trustees for a vast number more. It is, consequently, quite absurd to pretend, as is sometimes done, that any interference with funded property would affect only 280,000 individuals out of a population of 28,000,000. Any attack upon the dividends would really be destructive, not merely of the interests of those to whom dividend warrants are issued, but of all who depend upon them: it would destroy our whole system of banking and insurance, and overspread the country with bankruptcy and ruin. Not only, therefore, is every proposal for an invasion of the property of the fundholders bottomed on injustice and robbery, but it would, were it acted upon, be little less ruinous to the community than to the peculiar class intended to be plundered.

The unfunded debt on the 5th of January, 1817, amounted to 44,650,300*l.*, being 33,289,300*l.* greater than its amount on the 5th of January, 1793; and this sum has, of course, to be deducted from the *total* debt contracted during the French war, to get the amount of the *funded* debt contracted during that contest.

An Account of the State of the Public Funded and Unfunded Debt of Great Britain and Ireland, and the Charge thereon, at the 5th of January, 1846.—(Annual Finance Book for 1846, p. 109.)

DEBT.	Capital of Unredeemed Debt. £. s. d.
GREAT BRITAIN.	
Debt due to the South Sea Company, at 3 per cent.	3,662,784 8 6¾
Old South Sea Annuities	3,261,418 1 6
New South Sea Annuities ,,	2,395,074 2 6
South Sea Annuities, 1751 ,,	511,630 11 9
Debt due to the Bank of England ,,	11,015,100 0 0
Bank Annuities created in 1726 ,,	781,469 16 11
Consolidated Annuities ,,	364,164,797 16 7½
Reduced Annuities ,,	123,438,332 5 9
Total at 3 per cent.	509,230,797 8 6¾
Annuities at 3½ per cent.	218,175,061 1 3
New 5 per cent. Annuities	430,076 3 2
Total, Great Britain	727,835,934 7 11¾
IRELAND.	
Irish Consolidated Annuities, at 3 per cent.	5,390,631 2 2
Irish Reduced Annuities ,,	221,483 4 5
Annuities at 3½ per cent.	20,090,325 17 11
Debt due to the Bank of Ireland, at 3½ per cent.	2,630,769 4 8
New 5 per cent. Annuities	3,673 11 2
Total, Ireland	28,336,883 0 4
Total, United Kingdom	756,672,822 8 3¾
Exchequer Bills outstanding, 5th Jan., 1846	19,380,200 0 0
Total Funded and Unfunded Debt, 5th May, 1846	785,053,022 8 3¾

CHARGE.			In Great Britain. £. s. d.	In Ireland. £. s. d.	Total Annual Charge of Unredeemed Debt. £. s. d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital		22,389,117 4 2	1,253,559 15 3	
	Long Annuities, expire 1860		1,248,784 1 8	45,305 8 10	
	Annuities per 4 Geo. 4, c. 22, expire 1867		585,740 0 0		
	Annuities for a limited term of years, per 59 Geo. 3, c. 34, 10 Geo. 4, c. 24, and 3 Will. 4, c. 14, which expire at various periods, viz.:— Granted up to 5 Jan., 1846	£1,688,697 14 6			
	Deduct, Expired and Unclaimed up to ditto, including £106,100 Waterloo Annuities, 59 Geo. 3, c. 35	623,184 7 0			
		£1,065,513 7 6	viz. 933,585 14 6	131,927 13 0	
Payable at the National Debt Office.	Life Annuities, per 48 Geo. 3, c. 142, 10 Geo. 4, c. 24, and 3 Will. 4, c. 14, viz.:— Granted up to 5 Jan., 1846	£2,097,072 0 6			
	Deduct, Expired and Unclaimed up to ditto	1,134,088 15 6			
			962,983 5 0		
	Tontine and other Life Annuities, per various Acts { English		18,010 17 5		
	{ Irish		34,230 8 7	6,524 2 8	
Management			26,172,451 11 4	1,427,316 19 4	
Interest on Exchequer Bills (1845)			93,111 19 10		
			422,654 0 0		
Total Annual Charge, exclusive of £65,534 7s. 6½d. the Annual Charge on Capitals and Long Annuities, and Annuities for Terms of Years, per 10 Geo. 4, c. 24, standing in the names of the Commissioners on account of Stock Unclaimed 10 years or upwards, and of Unclaimed Dividends, and also on account of Donations and Bequests			26,688,217 11 2	1,427,316 19 4	28,125,534 10 6

An Account showing the Total Amount of the Unredeemed Funded Public Debt of the United Kingdom, and the Annual Charge thereon, on the 5th day of January, 1817, and on the 5th day of January in every subsequent Year down to 1846.

Years ending	Capital of Unredeemed Funded Debt.	Annual Charge thereon.
	£.	£.
1st Feb. 1817	796,200,191	29,842,014
5th Jan. 1818	776,742,403	29,310,454
1819	791,667,313	29,224,284
1820	794,889,491	29,739,658
1821	801,365,310	30,149,920
1822	795,312,767	29,965,216
1823	796,536,144	28,596,866
1824	791,791,614	29,078,570
1825	781,123,222	28,372,206
1826	778,728,267	28,267,272
1827	783,601,730	28,356,463
1828	777,476,892	28,289,869
1829	772,332,549	28,245,534
1830	771,251,932	28,235,900
1831	757,486,926	27,674,754
1832	755,343,884	27,659,299
1833	754,100,549	27,703,433
1834	751,656,283	27,792,116
1835	748,675,299	27,783,454
1836	738,549,886	28,404,305
1837	761,422,570	28,539,192
1838	762,275,188	28,524,730
1839	761,347,698	28,585,503
1840	766,547,664	28,748,794
1841	766,371,725	28,556,324
1842	772,530,758	28,701,458
1843	773,068,340	28,609,708
1844	772,169,092	28,516,862
1845	769,193,644	27,859,244
1846	766,672,822	27,702,880

Amount of the Unfunded Debt in Exchequer Bills, and of the Annual Charge thereon, on the 5th January, 1817, and on the 5th of January in every subsequent Year down to 1846.

Years ended 5 Jan.	Amount of Exchequer Bills.	Rate of Interest per Diem.	Charge of Interest per Annum.
	£.		£.
1817	44,650,300	3d. 22 Nov. 1816	2,173 927
1818	56,729,400	2½d. 24 Feb. 1817	1,891,315
1819	43,208,400	2d. 11 Oct. 1817	2,926,450
1820	36,303,200	,, ,,	847,091
1821	30,965,500	,, ,,	1,529,181
1822	31,566,550	,, ,,	2,(07,311
1823	36,281,150	,, ,,	1,240,409
1824	34,741,750	1½d. 24 June, 1824	1,111,220
1825	32,396,450	,, ,,	1,086,015
1826	27,594,200	2d. 19 Dec. 1825	820,000
1827	24,565,350	,, ,,	770,000
1828	27,546,850	,, ,,	802,186
1829	27,657,400	1½d. 30 Sept. 1829	869,475
1830	25,450,550	1½d. 13 Dec. 1829	806,076
1831	27,271,650	,, ,,	726,465
1832	27,183,350	,, ,,	694,968
1833	27,278,600	,, ,,	677,330
1834	27,906,900	,, ,,	723,506
1835	28,321,550	,, ,,	636,417
1836	24,976,600	2d. 29 Sept. 1836	688,701
1837	26,976,000	2½d. 21 Nov. 1836	652,933
1838	24,044,550	2d. 14 Dec. 1837	871,389
1839	24,026,650	1½d. 16 March, 1839	641,970
1840	19,963,650	2½d. 16 March, 1840	798,707
1841	21,076,350	,, ,,	559,159
1842	18,343,850	2d. 15 June, 1842	797,046
1843	18,182,100	1½d. 17 March, 1843 / 1½d. 16 June, 1843	631,601
1844	18,407,300	,, ,,	594,051
1845	18,404,500	,, ,,	462,363
1846	18,389,200	,, ,,	422,654

The Interest paid within each Year is given in the column of Charge, which Interest has accrued upon the Capital stated in the preceding Year.

*Account of the Principal and Annual Charge of the Public Debt at different Periods since the Revolution.**

	Principal, Funded and Unfunded.	Interest and Management.
	£.	£.
Debt at the Revolution, in 1689	664,263	39,853
Excess of Debt contracted during the reign of William III. above Debt paid off	15,730,439	1,271,0 7
Debt at the accession of Queen Anne, in 1702	16,394,702	1,310,942
Debt contracted during Queen Anne's reign	37,750,661	2,049,416
Debt at the accession of George I., in 1714	54,145,363	3,351,358
Debt paid off during the reign of George I., above Debt contracted	2,053,125	1,133,807
Debt at the accession of George II., in 1727	52,092,238	2,217,551
Debt contracted from the accession of George II. till the peace of Paris in 1763, three years after the accession of George III.	86,773,192	2,634,500
Debt in 1763	139,865,430	4,852,051
Paid during peace, from 1763 to 1775	10,231,795	380,480
Debt at the commencement of the American war, in 1775	123,333,635	4,471,571
Debt contracted during the American war	121,267,993	5,068,326
Debt at the conclusion of the American war, in 1784	245,851,628	9,360,507
Paid during peace, from 1784 to 1793	10,501,380	249,277
Debt at the commencement of the French war, in 1793	230,350,148	9,311,630
Debt contracted during the French war	601,500,343	22,704,311
Total Funded and Unfunded Debt on the 1st of February, 1817, when the English and Irish Exchequers were consolidated	840,850,491	32,015,941
Debt Cancelled from the 1st of February, 1817, to 5th of January, 1846	55,797,469	3,890,407
Debt, and charge thereon, 5th of January, 1846	785,053,022	28,125,534

*This account has been made up partly from the table in Dr. Hamiltop's work on the National Debt (3rd ed. p. 100), partly from Price on the State of the Finances in 1784 (p. 6), and partly from the above Account

The reduction of the principal of the public debt since 1817 has been effected partly by applying surplus revenue to its discharge, and partly by the conversion of a portion of the interminable into terminable annuities. The reduction of the annual charge has been partly, of course, brought about by paying off the principal; but more by the reduction of the interest paid on the 5 and 4 per cent. stock existing in 1817, and by that paid on the unfunded debt, or on exchequer bills. The total saving of interest between 1822, when the first, and 1844, when the last, reduction was made, has been 3,051,800*l.*

We subjoin—

A Return showing the Results of the Operations undertaken in 1822, 1824, 1825, 1830, 1834, *and* 1844, *for reducing the Charge on account of the National Debt, and the Terms upon which such Reduction was made; also, showing the Annual Interest on the Funded Debt saved thereby.*

	—	—	Gross Capitals.	Annual Interest.	Annual Interest saved.
			£.	£.	£.
1822	5 per cents. reduced to 4 per cents.; viz., 10*l.* 4 per cents. for 100*l.* 5 per cents., per 3 Geo. 4, c. 9	Five per cent. (Navy) Annuities . Capital	152,422,143		
		Amount of Dissents paid off	2,794,276		
			149,627,867	7,481,393	
		Bonus of 5*l.* per cent. allowed to those who assented	7,481,850		
		Capital, 4*l.* per cents	157,109,217	6,284,368	1,197,025
	Bank of Ireland Debt at 5 per cent. reduced to 4 per cent. at par, per 3 Geo. 4, c. 26	Bank of Ireland Debt, at 5 per cent.	1,153,846	57,692	
		Same Capital, at 4 per cent.	1,153,846	46,153	11,539
1824	Old 4 per cents. reduced to 3½ per cents. at par, 5 Geo. 4, c. 11	Four per cent. Annuities . . . Capital	76,248,180	3,049,927	
		Same Capital, at 3½ per cent, including 6,149,245*l.* Non-assents, vested in the Commissioners for the Reduction of the National Debt, per 5 Geo. 4, c. 45	76,248,180	2,668,685	
					381,242
1824 & 1825	5 per cents. 1797 reduced to 3 per cents.; viz., 138*l.* 6*s.* 8*d.* Consolidated 3 per cents. for 100*l.* 5 per cents., 37 Geo. 3, c. 10	Capital at 5 per cent.	1,013,663		
		Deduct Dissents paid off	41,011		
			972,657	48,632	
		Capital at 3 per cent.	1,296,876	38,906	
					9,726
1830	4 per cents. exchanged for 100*l.* of 3½ per cents., or 70*l.* of 5 per cents., per 11 Geo. 4, c. 13	4 per cent. Annuities, formerly Navy 5 per cents; Capital	153,671,091		
		Amount of Dissents paid off	2,830,915		
			150,730,176	6,031,607	
		Which was exchanged for 150,119,609*l.* 3*l.* 10*s.* per cent. Annuities	Interest: 5,254,186		
		469,398*l.* 5*l.* per cent. Annuities	23,469		
				5,277,655	753,952
1834	4 per cents. 1826 reduced to 3½ per cents. at par, per 4 and 5 Will. 4, c. 31	4 per cent. Annuities, created in 1826 . Capital	10,622,911	424,916	
		Same Capital, at 3*l.* 10*s.* per cent., including 4,133,72*l.* Dissents, vested in Commissioners for the Reduction of the National Debt on account of the Fund for Banks for Savings	10,622,911	371,891	
					53,115
1841	Bank of Ireland Debts, at 5 and 4 per cent., reduced to 3½ per cent. per 3 and 4 Vict. c. 75, and Warrant of Treasury, 30 January, 1841	Debt at 5 per cent.	1,015,384	50,769	
		Debt at 4 per cent.	1,615,384	64,615	
			2,630,768	115,384	
		Same Capital at 3½ per cent.	2,630,768	92,076	23,308
1844	3½ per cents. reduced, as par to 3½ per cents. until 10 October, 1854, and from that period to be reduced to 3*l.* per cents., and not liable to further reduction until after 10 October, 1874, per 7 Vict. c. 4 and 5	New 3*l.* 10*s.* per cent. Annuities . Capital	157,243,517		
		Reduced 3*l.* 10*s.* per cent. Annuities ditto	67,701,606		
		3*l.* 10*s.* per cent. Annuities, 1818 . . ditto	9,514,369		
		Old 3*l.* 10*s.* per cents. and Debentures ditto	14,401,171		
			248,860,663		
		Amount of Dissents and Non-assents paid off	103,352		
			248,757,311	3,706,505	
		Same capital at 3*l.* 5*s.* per cent.	248,757,311	3,084,612	621,893
					3,051,800

An Account of the Total Number of Persons to whom a Half Year's Dividend was due at the last Half-yearly Payment thereof, on each Description of Public Stock, and on each Description of Terminable Annuities; distinguishing the Number respectively of those whose Dividends for the Half-year did not exceed 5*l.*, 10*l.*, 50*l.*, 100*l.*, 200*l.*, 300*l.*, 500*l.*, 1,000*l.*, 2,000*l.*, 3,000*l.*, 4,000*l.*, 5,000*l.*, *and the Number of those whose Dividends exceed* 5000*l.*; *distinguishing also, in those above* 1,000*l.*, *the Dividends due to any Public Company, or to more than a single Name.*—(Parl. Paper, No. 202, Sess. 1833.)

	Not exceeding															
	£5.	£10.	£50.	£100.	£200.	£300.	£500.	£1,000.	£2,000.	Co. and Joint Accts., £3,000.	£3,000.	Co. and Joint Accts., £3,000.	£4,000.	Co. and Joint Accts., £4,000.	£5,000 and upwards.	Total.
Number to whom Dividends were payable—																
*On 3*l.* per cent. reduced annuities. .	10,347	4,745	11,681	3,473	2,175	742	453	231	53	24	9	5	5	3	12	33,956
*On 3*l.* 10*s.* per cent. reduced annuities .	7,019	4,362	10,173	2,909	1,561	411	251	112	15	21	5	4	nil	1	5	26,849
*On 3*l.* 10*s.* per cent. annuities, 1818 . .	198	162	389	211	127	57	38	30	3	3	nil	nil	nil	1	3	1,222
*On 4*l.* per cent. annuities, 1826 . . .	1,601	993	2,044	512	312	92	59	15	4	1	2	1	nil	nil	nil	5,636
*On long annuities . .	9,078	4,212	3,381	1,516	725	197	99	34	4	1	1	1	1	1	nil	24,221
*On annuities for terms of years	1,519	787	1,632	351	178	56½	32	20	4	nil	2	nil	nil	nil	2	4,583
†On 3*l.* per cent. consolidated annuities.	28,722	12,749	32,601	9,612	6,236	2,141	1,424	709	153	18	16	20	7	13	21	95,535
†On 3*l.* per cent. annuities, 1726 . . .	120	74	180	040	27	·4	2	nil	nil	nil	nil	nil	nil	nil	nil	447
†On new 3*l.* 10*s.* per cent. annuities . .	26,681	14,693	29,370	6,648	3,129	765	431	204	28	20	4	1	2	4	9	82,194
†On new 3*l.* per cent. annuities . . .	35	31	107	36	20	3	4	nil	1	nil	nil	nil	nil	nil	nil	237
†On annuities for terms of years	1,656	833	1,757	333	161	37	34	12	1	nil	1	3	nil	1	6	4,839
Totals . . .	87,176	44,643	93,305	25,641	14,701	4,495	2,827	1,367	266	151	40	35	15	24	60	279,571

* Dividends payable on 10th of October. † Dividends payable on 5th of January.

CHAPTER III.—DEFENCE.

SECT. 1. *Army, Militia, &c.*

THE force kept up for the defence of the empire against foreign attack, and for the maintenance of tranquillity and security at home, consists principally of the army and navy.

ARMY.—The military force of Great Britain, like that of all the contiguous states, has differed widely at different epochs. During the period posterior to the Conquest, when the feudal system was in its vigour, the whole lands of the kingdom were distributed into what were called *knights' fees*, of which there were above 60,000 in England only. And every tenant *in capite*, or person holding any such fee, was bound to hold himself in readiness, if called upon, to attend the sovereign in his wars, either at home or abroad, for *forty* days each year. Persons unable or unwilling to serve were obliged to provide unexceptionable substitutes, so that a force of about 60,000 men could thus be set on foot with but little or no cost to the Crown. When the forty days' service were accomplished, the feudal militia were en-

titled to return home; those that kept the field for a longer period being paid by the sovereign for their services. But in those days, when there were few fortified places, and war was not carried on upon any scientific principles, the predatory and marauding campaigns of which it mostly consisted did not often extend beyond forty days.—(*Blackstone*, i. p. 410. ed. 1775, &c.)

But though a militia of this sort answered tolerably well in a rude age for the defence of the country, it was speedily found to be very ill fitted for carrying on the foreign wars in which our princes of the House of Plantagenet were so often involved. Hence, the system of commuting military service abroad for a money payment, or *scutage*, as it was then termed, on knights' fees, was early introduced;* and as its advantages became more obvious, it was gradually substituted for military service at home. At length money payments having almost universally replaced feudal services, the latter were finally abolished by the 12 Charles II. c. 24.

Exclusive, however, of the feudal militia or constitutional force of the kingdom, our sovereigns always maintained bodies of stipendiary or mercenary troops in England, as well as in the Norman provinces. The expense was defrayed, for the most part, from the revenues and vast estates that then belonged to the Crown; but partly, also, by money obtained in commutation of feudal services, and sometimes, at a later period, by parliamentary grants. With the exception of those employed as guards in the Tower of London, Dover Castle, and other fortified places, and for protecting the marches, or borders of the kingdom along the Scotch frontier, the stipendiary troops were disbanded as soon as the occasion for their services had expired. They were a mercenary, but not a standing, army.

During the civil wars in the reign of Charles I., the royal army chiefly consisted of regiments raised by the nobility and gentry who espoused the cause of the king from among their tenants and dependants. The parliamentary forces consisted principally of stipendiary troops recruited in the great towns, which were, for the most part, hostile to the royal cause. Both parties, however, had recourse to every expedient for increasing their forces, whether it were consistent with law or not.

The origin of the present standing army dates as far back as 1660, or, perhaps, earlier. In that year Charles II. formed two regiments of guards, one of horse and one of foot, consisting principally of troops that had been previously embodied; and these, with the regiment of Royal Scotch, brought from France in 1661, and some other regiments that were soon after set on foot, formed in all a force of about 5,000 men, including the troops in garrison abroad. In the latter part of the reign of James II. this force was increased, including the troops

* The first instance of this sort of commutation is said to have occurred in the reign of Henry II. That prince, instead of requiring his vassals to accompany him in his war with the Earl of Thoulouse in 1159, imposed on them a scutage or tax which produced 180,000*l.* money of the time, being equal to 2,700,000*l.* of our money. By this means he consulted the prejudices of such of his English subjects as wished to remain at home, and procured the means of furnishing himself with a much more efficient army. (See *Lyttelton's History of Henry II.*, 8vo. ed. vol. ii. p. 428, and the elaborate note on the same subject in the Appendix.)

in Ireland, to about 30,000 men: but parliament did not sanction the enrolment of these forces, nor did it vote the money required for their pay and subsistence. They were embodied by authority of the Crown only, and were paid for either from the civil list, or by diverting money intended for other objects to that purpose.* The principal dependence of James II. for the success of his unconstitutional projects was placed in the devotedness of this great army. But his conduct disgusted the military as well as the rest of his subjects; and the cheers of the troops encamped on Hounslow Heath at the acquittal of the bishops proved that he had entirely lost their sympathy, and could no longer trust to them for support. In fact, no sooner had the Prince of Orange landed, than they went over to him almost to a man.

The danger arising from so unconstitutional a prerogative was, however, too great not to be immediately provided against; and it was consequently declared in the Bill of Rights, that the raising or keeping a standing army within the kingdom in time of peace, unless with consent of parliament, is contrary to law. And from this epoch down to the present day, the army has been kept on foot under authority of an Act, annually renewed, called "*An Act for punishing mutiny and desertion; and for the better payment of the army and their quarters.*" This Act specifies the number of men to be kept on foot; the conditions under which they are enlisted, paid, billeted, &c.; and lays down a system of martial law for their government. His Majesty is authorised to issue articles of war in conformity with this Act. These are usually printed with, and subjoined to, the Mutiny Act, and to them the reader is referred for further particulars.

Government of the Army.—The king is the supreme head, or generalissimo, of all the British forces by land and sea. He cannot, as already stated, raise or maintain forces without the authority of parliament; but in all that respects the distribution, officering, and organisation of the forces granted by parliament, he is supreme. He has, also, the sole government and disposal of all forts, arsenals, and fortified places. The military can receive no orders but such as emanate from the king; and these they are bound implicitly to obey, unless they be obviously at variance with the recognised laws of the land.

All measures with respect to the employment of the military force are, of course, decided upon by his Majesty in council; and ministers are as responsible for them as for any other acts of the government.

The command of the army, under the king, is committed to a commander-in-chief, enjoying the confidence of the ministry of the day. It is the duty of this officer to provide for the execution of such measures as may be determined upon by his Majesty in council in relation to the army, and to exercise a vigilant superintendence over all its concerns, so as to maintain it, at all times, in the highest state of efficiency and discipline.

* The first parliament of Charles II. voted 1,200,000*l.* as the ordinary revenue of the Crown; but in the latter years of his reign it amounted to more. In the reign of James II. the revenue amounted to near 2,000,000*l.* (*Hallam's Constitutional History*, iii. p. 156.)

The commander-in-chief is assisted in the discharge of his multifarious and important duties by several subordinate officers, who are each at the head of a peculiar department; such as the adjutant-general and the quarter-master-general.

The adjutant-general has the superintendence of all matters relating to what may be called the *personnel* of the army. He is the channel through which all officers communicate with the commander-in-chief; and all orders, instructions, and regulations with respect to the recruiting, organisation, discipline, &c. of the army, come within his province. He has also the superintendence of all matters with respect to the inspection of clothing and accoutrements, the employment of officers of the staff, the granting of leaves of absence, &c.

The functions of the quarter-master-general are chiefly called into operation during war. His duty is to prescribe routes and marches; to regulate the embarkation and disembarkation of troops; to provide them with quarters; to mark out the ground for encampments; to prepare and arrange plans for the defence of a country, &c. Much of the success of an army in the field depends on the way in which the duties of the quarter-master-general's department are performed. The admirable manner in which they were executed in Spain, under the superintendence of the late Sir George Murray, has been universally acknowledged.

There used formerly to be a barrack-master-general and a commissary-general; but, at present (1838), the duties of the former of these officers are performed by the Board of Ordnance, and those of the latter by the Treasury.

The affairs of the artillery and engineers are superintended by a separate board under the master-general of the Ordnance, who has the military command of the artillery, and of the corps of royal engineers and sappers and miners. Exclusive of the barrack department, the provision of forage for the whole of the troops at home is under the Ordnance, as is the superintendence of fortifications and military works at home and abroad. The Ordnance also provide the troops of the line, and the militia and volunteers, with guns, ammunition, and arms of all sorts; and they further perform this office for the navy.

The functions of the paymaster-general are strictly ministerial; his business being merely to make payments without exercising any discretion, in pursuance of warrants directed to him by the secretary-at-war and the Treasury, or both. A regimental paymaster is attached to each regiment.

The secretary-at-war is, as it were, the civil officer of the army, being the channel of communication between it and the government. He is bound to give effect to the orders of the commander-in-chief, unless they appear to be contrary to the existing rules of the service, or to occasion an excess of expenditure, in which cases he is to refer to the Treasury for instructions, and to abide by them. It is his duty to prepare the army estimates, and to submit them to parliament. He is not necessarily a member of the Cabinet, though sometimes he has a seat in it.

Organisation of the Army.—The British army is divided into

cavalry, infantry, and artillery, and these again into regiments and battalions. The three regiments of horse guards consist at present (1846) each of 32 officers, 53 non-commissioned officers, 351 privates, and 274 horses. The ordinary cavalry regiments have each, at an average, 27 commissioned officers, 31 non-commissioned officers, 328 privates, and 271 horses. The grenadier regiment of foot guards, consisting of three battalions, has 96 officers, 180 non-commissioned officers, and 2,080 privates. The other two regiments of foot guards consist also of two battalions each, and have each 1,280 privates, but only 61 officers, and 111 non-commissioned officers. The ordinary infantry regiments consist of one battalion, having each 39 officers, 64 non-commissioned officers, and 800 privates. The royal regiment of artillery consists of nine battalions, having 464 officers, and 8,222 non-commissioned officers and men, exclusive of the horse brigade, and the engineers, sappers and miners.

The officers or staff of an ordinary cavalry regiment, having 328 privates, and divided into six troops, are as follows, viz.: 1 colonel, 1 lieutenant-colonel, 1 major, 6 captains, 6 lieutenants, 6 cornets, 1 paymaster, 1 adjutant, 1 quarter-master, 1 surgeon, 1 assistant-surgeon, and 1 veterinary surgeon—in all, 27. The officers or staff of an ordinary infantry regiment, consisting of one battalion of 800 men rank and file, comprise 1 lieutenant-colonel, 2 majors, 10 captains, 12 lieutenants, 8 ensigns, 1 paymaster, 1 adjutant, 1 quarter-master, and 1 surgeon, with two assistants—in all 39. When additional battalions are raised, each has a separate staff. The colonelcy of a regiment is in great measure a sinecure.

Appointment of Officers.—Officers may either purchase their appointment originally, and each succeeding step of promotion according to the rules of the service, or they may be appointed in the first instance, and subsequently promoted without purchase, by the commander-in-chief; but officers in the artillery and engineers are promoted by a ministry only. They are all commissioned by the king. Very few officers in the British army have risen from the ranks; and, in this respect, as well as in several others, it differs materially from the army of France, and of some of the other continental states. It has been questioned whether it be as superior to them in this particular as it certainly is in most others. But, despite what has been alleged to the contrary, we are disposed to think that the arrangement in question powerfully contributes to maintain the discipline of the army; to hinder it from being influenced by popular feelings or prejudices; and to make it (in which its chief excellence consists) a willing as well as an efficient instrument in the hands of the executive. But though the Duke of Wellington has, in his able and well considered evidence before the Commissioners on Military Punishments, successfully obviated some of the more common objections to the present practice, public opinion appears to be setting more strongly in favour of promotion from the ranks. A late warrant (19 December, 1845), judiciously directs that to assist non-commissioned officers in providing their outfits, they shall receive, on being nominated commissioned officers in cavalry and in infantry regiments, the former gratuities of 150*l.*, and the latter of 100*l.* each.

Prices of Commissions.

Rank.	Full Price of Commissions.	Difference in Value between the several Commissions in succession.	Difference in Value between Full and Half Pay.
	£. s. d.	£. s. d.	£. s. d.
Life Guards :—			
Lieutenant-Colonel	7,250 0 0	1,900 0 0	. .
Major	5,350 0 0	1,850 0 0	. .
Captain	3,500 0 0	1,715 0 0	. .
Lieutenant	1,785 0 0	525 0 0	. .
Cornet	1,260 0 0	. .	. .
Royal Regiment of Horse Guards :—			
Lieutenant-Colonel	7,250 0 0	1,900 0 0	. .
Major	5,350 0 0	1,850 0 0	. .
Captain	3,500 0 0	1,900 0 0	. .
Lieutenant	1,600 0 0	400 0 0	. .
Cornet	1,200 0 0	. .	. .
Dragoon Guards and Dragoons : —			
Lieutenant-Colonel	6,175 0 0	1,600 0 0	1,533 0 0
Major	4,575 0 0	1,350 0 0	1,352 0 0
Captain	3,225 0 0	2,035 0 0	1,034 3 4
Lieutenant	1,190 0 0	350 0 0	632 13 4
Cornet	840 0 0	. .	300 0 0
Foot Guards :—			
Lieutenant-Colonel	9,000 0 0	700 0 0	. .
Major, with rank of Colonel	8,300 0 0	3,500 0 0	. .
Captain, with rank of Lieutenant-Colonel	4,800 0 0	2,750 0 0	. .
Lieutenant, with rank of Captain	2,050 0 0	850 0 0	. .
Ensign, with rank of Lieutenant	1,200 0 0	. .	. .
Regiments of the Line :—			
Lieutenant-Colonel	4,500 0 0	1,300 0 0	1,314 0 0
Major	3,200 0 0	1,400 0 0	949 0 0
Captain	1,800 0 0	1,100 0 0	511 0 0
Lieutenant	700 0 0	250 0 0	365 0 0
Ensign	450 0 0	. .	150 0 0
Fusiliers and Rifle Corps, having First and Second Lieutenants :—			
First Lieutenant	700 0 0	200 0 0	365 0 0
Second Lieutenant	500 0 0	. .	200 0 0

Enlistment.—Formerly it was customary to enlist soldiers by what is called *indenture*. In other words, certain individuals bound themselves by indenture to provide a given number of able-bodied men to serve his Majesty for some specified time, at certain capitulated rates of pay and bounty, then called wages or regards. It was usual for the King to advance beforehand a portion of such pay or bounty, which was called "impressment money," and to give security for the regular payment of the remainder. But this system has been long abandoned, and the business of enlisting or recruiting for the army has been carried on, since the Revolution, by military officers appointed for that purpose.

Soldiers used to be enlisted either for a limited or an unlimited number of years, or which is the same thing, till they be discharged. The limited periods for which a person might enlist were fixed at 7 years for the infantry, 10 years for the cavalry, and 12 years for the artillery, provided the party enlisting were of the age of 18 years or upwards; but, if under 18, then the difference between his age and 18 was to be added to the above periods of 7, or 10, or 12 years, as the case might be. A person when enlisted is to be brought, not sooner than one nor later than four days, before a justice of the peace, who is

directed to put to him certain questions contained in the schedules of the Mutiny Act; and, to give persons time to reflect on what they have done, and to prevent hasty or incautious enlistment, it is provided that, if any recruit brought before a justice, or, who, not being brought goes voluntarily before one (as he is authorised to do), and declares his dissent from the enlistment, he is to be released therefrom, and discharged on his paying a fine of twenty shillings, together with the enlisting money and other expenses incurred on his account.

Napoleon laid it down as a fundamental principle, "*que la conscription est le mode de recrutement le plus juste, le plus doux, le plus avantageux au peuple;*" and the armies of France, Prussia, and most continental nations continue to be recruited on this principle. Nor have those been wanting who have recommended the introduction of the conscription into this country, or, at least, an extension to the army of the principle on which the militia is recruited. Recruiting by voluntary enlistment is, however, the only plan that is consistent with the free principles of the British constitution; and, notwithstanding the deference due to the authorities on the other side, it is intrinsically the best. We do not mean to deny that the system of conscription, provided it be made equal and impartial, has some advantages; but they are certainly very much overbalanced by the disadvantages with which it is inseparably connected. Among the individuals subject to a conscription, there is the greatest discrepancy of tastes and tempers, some preferring the military profession to any one else, while others hold it in abhorrence. The system of voluntary enlistment avails itself of these differences. Far from offering violence to any one, it gratifies all, by enabling those who choose to become soldiers and those who prefer other pursuits to prosecute them without let or hindrance. The conscription, on the other hand, introduces a system of fatalism, where there should be choice and discrimination, the chances being equal that the lots will fall upon the individuals most disinclined to enter the army. Who would think of forcing people, against their inclinations, to become miners, shoemakers, or weavers? and why should the State attempt to enforce a system productive of still greater hardship and injustice? If soldiers could not be procured by other means, we should readily admit that necessity formed a valid excuse for the introduction of a conscription; but such is far indeed from being the case. Men in abundance may always be found, without any compulsory process, and with very moderate encouragement, ready to undertake any employment, how disagreeable or hazardous soever. The free and adventurous life of a soldier has, however, many powerful attractions. Even during war the dangers and privations of campaigns are underrated, and the chances of advancement proportionally exaggerated in the heated imaginations of the young and the inconsiderate; and, unless their pay and other advantages be very decidedly below what the state of society requires, a moderately populous country may, without the least difficulty, obtain any number of troops by voluntary enlistment. During the latter years of the war, when the prices of almost everything sustained an extraordinary advance, the pay of the troops continued stationary, and was not, consequently, so good as it ought to have been, or as it has

since become, now that the prices of most articles have been materially reduced; though we continue of opinion that it might and ought still to be raised. The custom of allowing criminals to enlist into the army has also had a tendency to degrade the service, and to generate a prejudice against it; and of late years many have supposed that a similar effect was produced by the popular odium attached to the punishment of flogging; but we doubt whether this latter circumstance has had any perceptible influence. Punishment is not wantonly inflicted;* and never, indeed, without the party punished having committed some very grave offence, such as stealing, being drunk on duty, insulting officers, &c. And there are very few so conscious of their own demerit as to suppose, when they are about entering the army, that they will ever commit any such offences, or that, consequently, they will ever be made amenable to punishment. We do not, therefore, attach any weight to this statement; and the enlisting of criminals into the army is now nearly put an end to. Provided the soldier be sufficiently paid, that merit and long service be sufficiently rewarded, and crime and bad conduct be repressed by prompt and suitable punishment, there is nothing in the army to render it unpopular; and we may depend upon it that, under the conditions supposed, no difficulty will ever be found in obtaining ample supplies of the best men for the public service. Conscription is, in fact, as unnecessary as it is cruel and revolting. It we be ever forced to resort to this arbitrary and oppressive expedient, the necessity will have arisen from the adoption of some spurious system of economy, or from something improper in the treatment of the troops, or both.

The plan of enlisting for limited periods began in 1806, and was justly regarded as a very great improvement. Many men, who would not adventure upon enlistment for life, might, notwithstanding, be disposed to enlist for a term of seven or ten years, thinking that, if the service turned out to be less agreeable than they expected, they would be able to leave it. But the chances are that, though they may not relish it much at first, by the time they have been seven years in the army they will have become so habituated to it, as to have no wish to leave it. We regret, however, to have to state, that though introduced, this mode of recruiting has been abandoned on account of the number of men who left the army with pensions, and the consequent expense entailed on the country. This, however, does not show that the plan for enlisting for limited periods is bad, but only that the inducements to continue in the army were not so powerful as they should be. Consequently the proper plan would have been not to put an end to the system of enlisting for limited periods, but to increase the motives to remain in the army, by making some considerable addition to the pay of the troops, and by making the right to receive pensions depend on their having served for considerable periods. The army cannot be on the footing on which the public interests require that it should be placed, if the troops have any good grounds for envying the condition of any of the great classes of ordinary labourers.

* The maximum number of lashes that may be inflicted is, by a regulation enacted in the course of the present year (1846), reduced to 50.

At present pensions are, under certain circumstances, allowed to soldiers on their receiving leave to retire from the army, and on their being obliged to retire in consequence of ill-health or other permanent disability. These are principally determined by warrants issued in 1829 and 1833; and we are sorry to have to add that the pensions allowed under the former are decidedly more liberal, and may be obtained under less onerous conditions, than those allowed under the latter. We doubt, indeed, whether the deductions from the pensions to soldiers made by the warrant of 1833 have not more than countervailed all the other measures adopted in the interval for the improvement of the condition of the soldier. Enlistment for fixed periods of seven years or thereby, with additional pay to soldiers who re-enlist, and handsome retiring pensions to those who serve for 14 and 21 years, are all that is necessary to obviate desertion, and to ensure an ample supply of the best men for the army; and it will probably be found that without them nothing else can be of any material service.

We subjoin some returns in regard to recruiting:—

Return showing the Total Number of Recruits for the British Army admitted from 1834 *to* 1843, *both Years inclusive, specifying the Numbers admitted in each Year; also, the Standard Heights and Ages fixed for the Recruits, and their average Height and average Age; distinguishing the number enlisted in England, Scotland, and Ireland, respectively, in each Year, and specifying the Number examined and found Fit, and the Number found Unfit, of each Nation.* (Parl. Paper, No. 635, Sess. 1845.)

Years.	English.		Scotch.		Irish.		Total.	
	Number Fit.	Number Unfit.	Number Fit.	Number Unfit.	Number Fit.	Number Unfit.	Number Fit.	Number Unfit.
1834 . . .	2,266	188	402	19	1,022	142	3,6[illegible]0	349
1835 . . .	3,488	403	694	37	1,863	124	6,045	564
1836 . . .	3,700	390	811	42	2,431	120	6,942	552
1837 . . .	5,348	419	1,038	44	3,095	194	9,481	727
1838 . . .	7,698	723	1,226	33	4,362	247	13,286	1,003
1839 . . .	12,743	1,231	2,065	93	7,202	533	22,010	1,857
1840 . . .	10,485	1,309	1,554	86	4,879	352	16,917	1,797
1841 . . .	9,521	1,021	1,420	44	3,840	257	14,821	1,322
1842 . . .	9,844	1,380	1,845	55	4,959	288	16,648	1,723
1843 . . .	7,936	1,227	1,152	82	3,927	306	13,017	1,625

Standard Height.			Standard Age.			Average Height.			Average Age.		
Cavalry.		Infantry.	Cavalry.		Infantry.	Cavalry.		Infantry.	Cavalry.		Infantry.
Heavy.	Light.	—	Heavy.	Light.	—	Heavy.	Light.	—	Heavy.	Light.	—
From 5 feet 6 ½ in. to 5 feet 10 in.	From 5 feet 6 ½ in. to 5 feet 9 in.	From 5 feet 5 ½ inches to 5 feet 6 ½ inches and upwards.	Not above 25	Not above 25	Not above 25	5 feet 8 ½ in.	5 feet 8 ½ in.	5 feet 7 in.	20	20	19

In 1845, of 13,370 recruits inspected, 9,224 were found to be fit for the service, and 4,146 were rejected.

Statement showing the Native Countries of the Recruits Inspected in 1845.

		Ratio per 1000 of the whole.	
England	7,145	= 534·5	per 1000.
Ireland	4,009	= 299·8	,,
Scotland	2,061	= 154·1	,,
Wales	141	= 10·5	,,
Foreign Countries	14	= 1·04	,,
	13,370	1000·	

Statement showing the Occupations of the Recruits Inspected during 1845.

Classes.	Number of each Class.	Proportion per 1000 furnished by each Class.
1. Husbandmen, Labourers, Servants	8,277	= 619·2
2. Mechanical Trades	4,083	= 305·3
3. Shopmen and Clerks	982	= 73·4
4. Professional Occupations, as Students or Licentiates of Law, Medicine, or Divinity	28	= 2·1
Total	13,370	per 1000 of the whole inspected.

Number of Troops.—Owing to the jealousy with which a standing army was long regarded, and the heavy cost of its maintenance, it has always been confined, at least in periods of peace, within pretty narrow limits. In the reign of William III, during the short interval between the treaty of Ryswick and the war of the Spanish succession, the standing army was reduced, in opposition to the most obvious considerations of expediency, and despite the efforts of the King, to so few as 7,000 men. And William, who had been the instrument, under Providence, of establishing a free government in these realms, and of preserving the balance of power in Europe, was obliged to submit to the mortification, which he felt most acutely, of dismissing his favourite regiments of Dutch guards and French refugees. (*Hallam*, iii. p. 190.) During the lengthened administration of Sir Robert Walpole, the standing army generally amounted to about 17,000 men, exclusive of the troops in Ireland, but inclusive of those in Gibraltar and Minorca. After the peace of Paris in 1763, the peace establishment was fixed, including the troops in garrisons abroad and in Ireland, at about 40,000 men. In the course of the American war, both the army and navy were very much augmented; but at the conclusion of that unfortunate contest they were again reduced to what might be considered, under the altered circumstances of the world, as something like their old level. All previous contests and armaments were, however, thrown into the shade, and made to appear insignificant, by the vast efforts that signalised the war with France, that broke out in 1793, and was only terminated in 1815. During the latter years of that momentous contest, which was truly a struggle *pro aris et focis*, we had, including volunteers, yeomanry, militia, &c., a land force embodied of not less than 450,000 men! Happily, our exertions and sacrifices were crowned with success; and not only provided for our own security, but were

mainly instrumental in enabling continental Europe to emancipate itself from the military despotism by which it had for a while been crushed. We subjoin an account, taken from official documents, of the regular troops, exclusive of the ordnance, at home, in the colonies, and in foreign countries, in 1792, 1815, and 1846, and of the expense incurred on their account:—

	1792	1815	1846
At Home and in the Colonies.			
Household Cavalry	779	1,504	1,308
Foot Guards	3,766	9,612	5,260
Cavalry of the Line	5,409	16,477	7,046
Infantry of the Line	36,598	138,701	85,891
Garrison Battalions	..	1,823	..
Veteran Battalions	..	2,922	..
West India Regiments	..	8,798	3,414
Colonial Corps	..	7,147	5,085
Fencibles	..	3,268	..
Foreign Corps	..	21,314	..
Augmentations in progress	..	9,148	..
	46,552	220,714	108,004
In India.			
Cavalry of the Line	512	5,555	3,957
Infantry of the Line	10,188	24,045	27,144
Totals	57,252	250,314	139,105

In 1792 the sums voted upon the British estimates were,—

	£.	s.	d.
For Great Britain	560,205	12	0
For the Colonies	319,488	3	0
Difference between British and Irish pay of regiments lent by Ireland	7,153	17	3
Recruiting, bread money, and returned poundage	98,037	15	0
	£984,885	7	3
The charge of the army in Ireland has not been correctly ascertained, but it is believed to have been about	601,000	0	0
	£1,585,885	7	3

The sums voted upon the army estimates for 1815, which included the Irish charge, were,—

	£.	s.	d.
For the land forces	6,721,880	7	5
For augmentations	384,260	1	11
For foreign corps.	833,715	1	0
	£7,939,855	10	4

These estimates are all exclusive of the charge for *non-effective* services, or for half-pay, pensions, &c., and of the expense defrayed by the East India Company. The total sum voted on account of the effective military force, exclusive of the ordnance, for the year 1846-47, was 4,169,701*l.*, of which 976,517*l.* is to be defrayed by the East India Company.

Ordnance.—There were voted, on the Ordnance Estimates for 1846-47, 268 officers of engineers; 3 officers, and 1,468 men as sappers and miners; 464 officers and 8,222 men in the royal regiment of

artillery; 46 officers and 570 men in the Royal Horse Artillery, &c.: making in all (including medical officers) 828 officers and 10,351 men. The total sum voted on account of the Ordnance Estimates for the year 1846-47 was 2,543,569*l.*; making the total expense of the army for that year 8,626,460*l.*

On p.450 is an account of the Army Estimates for 1846-47, exhibiting in detail the number of each description of force, and the separate items of expenditure.

Abstract Statement of the Numbers and Descriptions of the Land Forces embodied for the Year 1846-7.

	Horses.	Officers.	Non-Commissioned Officers, Trumpeters, and Drummers.	Rank and File.	Total.
Life Guards and Horse Guards	822	96	159	1,053	1,308
Cavalry of the Line	8,484	730	938	9,335	11,003
Foot Guards	..	218	402	4,640	5,260
Infantry of the Line	..	4,544	7,891	100,600	113,035
West India Regiments	..	179	235	3,000	3,414
Colonial Corps	450	244	369	4,472	5,085
Total Army, exc. Ordnance	9,756	6,011	9,994 Non-commissioned Officers and Men 10,351	123,100	139,105
Ordnance	..	828			11,179
Making the Total Force	..	6,839	..		150,284

Pay of Troops.—The pay and other emoluments of the officers and men in the army, depend partly on the department of the service to which they belong, and partly on the length of time during which they have been in service. The pay of what are called the household troops, consisting of the two regiments of Life Guards, and the royal regiment of Horse Guards, or Oxford Blues, is higher than that of any other description of force. The pay of a private varies, in these regiments, from 1*s.* 9½*d.* to 2*s.* 0½*d.* a day; the pay of a private in the cavalry of the line being 1*s.* 4*d.*; in the foot guards 1*s.* 2*d.*; and in the infantry of the line 1*s.* 1*d.* a day: the statutory allowance of 1*d.* a day as beer money, payable to all non-commissioned officers and men in Great Britain and Ireland, being uniformly included. Soldiers, however, are not entitled to receive the whole of this pay in money. When at home in barracks, or in stationary quarters, they are supplied with bread and meat, at the rate of three-quarters of a pound of meat and one pound of bread a day for each man; for which 6*d.* a day, and not more, is to be deducted from their pay. The principal part of a soldier's clothes and accoutrements are furnished at the public expense. The pay of all privates serving in the cavalry is, however, liable to a deduction of 2*s.* 7½*d.* a week on account of such articles; and a deduction of 1*s.* 1*d.* a week is made from the pay of privates in the foot guards, and of 1*s.* 6*d.* a week from the pay of all other privates serving in the infantry, on the same account.

Account of Her Majesty's Land Forces during the Year 1846-47, *specifying the Numbers in each Corps, with the Pay and other Allowances for the same.*

	Numbers.					Pay and Daily Allowances.	Annual Allowances to Field Officers, Captains, &c.	Agency.	Clothing.	Charge to be provided for 365 Days, to 31st March, 1847.
	Horses.	Officers.	Non-Commissioned Officers, Trumpeters, and Drummers.	Rank and File.	All Ranks.					
CAVALRY.						£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Life Guards and Horse Guards	822	96	159	1,053	1,308	69,030 18 0	6,444 18 6	850 5 2	10,392 18 0	86,718 19 8
Cavalry of the Line	8,434	730	938	9,335	11,003	421,756 6 8	24,671 6 0	5,468 6 8	44,476 0 0	496,371 19 4
INFANTRY.										
Foot Guards	..	218	402	4,640	5,260	150,113 12 10	20,737 7 6	1,537 11 6	20,025 0 0	192,413 11 10
Infantry of the Line	..	4,544	7,891	100,600	113,035	2,885,723 4 7	44,621 15 0	28,023 14 8	298,436 14 2	3,256,811 8 0
West India Regiments	..	179	235	3,000	3,414	91,296 8 9	2,072 15 0	860 8 7	8,897 10 2	103,627 2 6
Colonial Corps	450	244	369	4,472	5,085	117,633 5 5	4,172 6 8	212 5 0	.. ..	122,017 17 1
	9,756	6,011	9,994	123,100	139,105	3,736,053 16 3	102,720 8 8	36,952 11 2	382,228 2 4	4,257,959 18 5
In the pay of the United Kingdom.										
CAVALRY.										
Life Guards and Horse Guards	822	96	159	1,053	1,308	.. ..	.. ..	.. ..	.. ..	86,718 19 8
Cavalry of the Line	4,978	494	587	5,965	7,046	.. ..	.. ..	.. ..	.. ..	324,651 12 8
INFANTRY.										
Foot Guards	..	218	402	4,640	5,260	.. ..	.. ..	.. ..	.. ..	192,413 11 10
Infantry of the Line	..	3,296	5,995	76,600	85,891	.. ..	.. ..	.. ..	.. ..	2,459,250 17 7
West India Regiments	..	179	235	3,000	3,414	.. ..	.. ..	.. ..	.. ..	103,627 2 6
Colonial Corps	450	244	369	4,472	5,085	.. ..	.. ..	.. ..	.. ..	122,017 17 1
Total Numbers in the United Kingdom and Colonies, Exclusive of East India Depôts	6,250	4,527	7,747	95,730	108,004	(Sums to be provided by public)				3,288,680 1 4
In the pay of the East India Company, including Depôts in the United Kingdom.										
Cavalry	3,506	236	351	3,370	3,957	(Sums to be provided by East India Company)				171,720 6 8
Infantry	..	1,248	1,896	24,000	27,144					797,559 10 5
Total numbers in the United Kingdom and East Indies	9,756	6,011	9,994	123,100	139,105	.. ..	.. ..	.. ..	.. ..	4,257,959 18 5

Abstract Estimate of the Probable Charge for Non-Effective Army Services for the Year 1846-47.

Services.	Number of Officers and Men.	Charge.
		£.
Rewards for Military Service	..	12,000
Army Pay of General Officers	133	49,000
Full Pay for Retired Officers	333	46,000
Half Pay and Military Allowances	8,811	328,937
Foreign Half Pay	426	38,000
Widows Pensions	..	104,524
Compassionate Allowances, Bounty Warrants and Pensions for Wounds	..	52,000
In-Pensioners of Chelsea and Kilmainham Hospitals	746	35,092
Out-Pension	61,862	1,194,350
Superannuation Allowances	..	30,522
Numbers and Charge to the 31st March, 1847	75,316	1,920,405
Deduct Appropriations in aid	..	7,205
Amount to be provided for non-effective services		1,913,200

GENERAL ABSTRACT OF COST OF EFFECTIVE AND NON-EFFECTIVE SERVICES.

Effective services (deducting appropriations in aid)	4,169,701
Non-effective services (ditto)	1,913,200
General Total of effective and non-effective Army services	6,082,901
Ordnance effective services (deducting appropriations in aid)	2,423,110
Ordnance non-effective services (ditto)	120,459
Grand Total of Army and Ordnance	8,626,400
Whereof provided by the East India Company	976,517

Certain descriptions of officers, as paymasters, surgeons, assistant-surgeons, lieutenants, quarter-masters, and veterinary surgeons, are entitled, after certain periods of service, to additional pay. Privates enlisted prior to the 24th of January, 1823, are entitled to 1*d.* per diem, additional pay, after seven years' service; and *all* persons are entitled to 2*d.* per diem, additional pay, after fourteen years' service. The following table exhibits the daily pay of all descriptions of commissioned and non-commissioned officers and men in the principal departments of the service, as fixed by royal warrant of the 1st of April, 1834.

Annual Rates of Pay of Officers.

Rank of Officer.	First Dragoon Guards.	Other Regiments of Cavalry.	Regular Infantry.	First West India Regiment.	Second West India Regiment.
	£.	£.	£.	£. s. d.	£. s. d.
Colonel { If appointed on or before the 31st March, 1834	1,100	1,000	600	574 17 6	593 2 6
Colonel { If appointed after that day	1,100	900	500	500 0 0	500 0 0

Daily Rates of Pay of Officers.

Rank of Officer.	Dragoon Guards and Dragoons.	Infantry of the Line.	Staff Corps.
	£. s. d.	£. s. d.	£. s. d.
Lieutenant-Colonel	1 8 0	0 17 0	..
Major	0 19 3	0 16 0	..
Captain	0 14 7	0 11 7	0 15 8
Ditto, having higher rank by brevet	..	0 13 7	..
Lieutenant	0 9 0	0 6 6	0 9 0
Ditto, after 7 years' service as a Lieutenant; or after 5 years' such service if the officer was present as a Subaltern at the battle of Waterloo	..	0 7 6	..
Ditto, after 5 years' service as a Lieutenant, if the officer was present as a Subaltern at the battle of Waterloo, but not otherwise	0 10 0	..	0 10 0

Daily Rates of Pay of Officers—continued.

Rank of Officer.	Dragoon Guards and Dragoons.	Infantry of the Line.	Staff Corps.
	£. s. d.	£. s. d.	£. s. d.
Cornet	0 8 0	..	..
Ensign	..	0 5 3	..
Paymaster	0 15 0	0 15 0	..
Ditto, after 20 years' service in that rank on full pay	1 0 0	1 0 0	..
Adjutant	0 10 0	0 8 6	..
Surgeon	0 13 0	0 13 0	..
Ditto, after 10 years' service on full pay in the Army, in any capacity as a Medical Officer	0 15 0	0 15 0	..
Ditto, after 20 years	0 19 0	0 19 0	..
Ditto, after 25 years	1 2 0	1 2 0	..
Assistant Surgeon	0 8 6	0 7 6	..
Ditto, after 10 years' service on full pay in the Army, in any capacity as a Medical Officer	0 11 0	0 10 0	..
Veterinary Surgeon	0 8 0	..	..
Ditto, after 3 years' service in the Army in any capacity as a Medical Officer on full pay	0 10 0	..	..
Ditto, after 10 ,,	0 12 0	..	..
Ditto, after 20 ,,	0 15 0	..	..
Quarter Master	0 8 0	0 6 6	0 6 6
Ditto, after 10 years' service in that rank on full pay	0 10 6	0 8 6	0 8 6
Ditto, after 15 years' ditto	0 12 0	0 10 0	0 10 0

Rates of Daily Pay of Non-commissioned Officers, Trumpeters, Drummers, Privates, and Boys.

Rank of Non-commissioned Officers.	Dragoon Guards and Dragoons.	Infantry of the Line.	Staff Corps.
	s. d.	s. d.	s. d.
Sergeant-Major (regimental)	3 6	3 0	..
Troop Serjeant-Major	3 0	..	..
Sergeant-Major in West India Regiments (regimental)	..	3 6	..
Company Sergeant-Major in West India Regiments	..	2 10	..
Quarter-Master Serjeant	..	2 6	3 0
Colour Sergeant	..	2 4	..
Paymaster Sergeant	2 2	1 10	2 6
Ditto, after 10 years' service as such	2 8	2 4	..
Regimental Orderly-room Clerk	2 2	1 10	..
Ditto, after 10 years' service as such	2 8	2 4	..
Schoolmaster-Sergeant	2 2	1 10	..
Armourer-Sergeant	2 2	1 10	..
Saddler-Sergeant	2 2	..	..
Hospital-Sergeant	2 2	1 10	..
Trumpet, Drum, or Bugle Major	2 2	1 10	..
Serjeant	2 2	1 10	2 6
Corporal	1 7½	1 4	..
Private or Farrier	1 3	1 0	..
Privates, 1st Class, Staff Corps	..	..	2 0
Ditto, 2nd Class, ditto	..	..	1 6
Ditto, 3rd Class, ditto	..	..	1 3
Boys until they attain the age of 15 years	0 10	..	0 10
Lads in Staff Corps under the age of 18 years	..	..	1 0
Trumpeter, Bugler, Drummer, or Fifer	1 7	1 1¾	1 3

Half Pay.—Besides their pay when embodied, and on service, all classes of commissioned officers, who have served certain periods, receive, when reduced, or off duty, certain sums, denominated half pay. A few officers, and others, receive what are called military allowances. The rates of half pay are of two sorts, denominated *new* and *old*. All officers placed upon half pay during the late war, or who may have been reduced upon the formation of a peace establishment, and all officers compelled for the *public convenience* to retire upon half pay, or in consequence of ill-health, as certified by the medical board, are entitled to the new rate of half-pay.

Table exhibiting the New and Old Rates of Half Pay.—(Warrant 1st May, 1846.)

Rank of Officer.	Cavalry.		Infantry.	
	New Rate.	Old Rate.	New Rate.	Old Rate.
	Per diem. s. d.	Per diem. s. d.	Per diem. s. d.	Per diem. s. d.
Colonel	15 6	13 0	14 6	12 0
Lieutenant-Colonel	12 6	10 0	11 0	8 6
Major	10 0	8 0	9 6	7 6
Captain	7 6	5 6	7 0	5 0
Ditto of Infantry having superior Brevet Rank, and provided he shall have served as Captain on Full Pay for at least two years immediately before retirement to Half Pay	..	..	8 0	..
Lieutenant	4 8	3 0	4 0	2 4
Ditto of Infantry, if commissioned 7 years as a Lieutenant in the regular Army, at the date of being placed upon Half Pay	..	..	4 6	..
Ditto of Cavalry of 5 years' standing, if entitled to reckon 2 years for the battle of Waterloo.	5 2	..	..	..
Cornet	3 6	2 6	..	..
Second Lieutenant and Ensign	..	..	3 0	1 10
Adjutant, if not commissioned as Lieutenant	4 0	4 0	4 0	4 0

Half Pay of Medical Officers.—Such Officers, if placed on Half Pay by reduction of Establishment, *are allowed the following Rates of Half Pay.*—(Warrant 1st May, 1846.)

Rank of Reduced Medical Officer.	Rates of Half Pay after a Service on Full Pay of				
	30 Years.	25 but under 30 Years.	20 but under 25 Years.	10 but under 20 Years.	Less than 10 Years.
	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.
Inspector-General of Hospitals	1 10 0	1 5 0	1 0 0	..	..
Deputy Inspector-General of Hospitals	1 0 0	0 17 0	0 14 0	0 10 6	0 8 0
Staff Surgeon	0 16 0	0 14 0	0 12 0	0 9 6	0 7 0
Regimental Surgeon and Staff-Surgeon, 2nd Class	0 15 0	0 13 0	0 11 0	0 8 6	0 6 0
Assistant Surgeon	0 7 6	0 7 0	0 6 0	0 5 0	0 4 0

Medical Officers placed on Half Pay, from any cause other than Reduction, are allowed the following Rates of Palf Pay.

Rank of Retired Medical Officer.	Rates of Half Pay after a Service on Full Pay of				
	30 Years.	25 but under 30 Years.	20 but under 25 Years.	10 but under 20 Years.	Less than 10 Years.
	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.	Per diem. £. s. d.
Inspector-General of Hospitals	1 0 0	0 15 0	0 12 0	..	..
Deputy Inspector-General of Hospitals	0 18 0	0 14 0	0 10 0	0 8 0	0 7 0
Staff Surgeon	0 15 0	0 12 0	0 9 0	0 6 6	0 6 0
Regimental Surgeon and Staff-Surgeon, 2nd Class	0 15 0	0 11 6	0 8 0	0 6 0	0 5 6
Assistant Surgeon	0 7 0	0 6 0	0 5 0	0 4 0	0 3 0

The number of officers receiving half pay in 1846-47 was 3,722; the total sum awarded to them being 429,786*l.* The military allowances during the same year were 9,761*l.*, divided amongst 77 individuals.

The widows of deceased officers are also entitled to pensions; varying from 90*l.* for the widow of a colonel, to 30*l.* for the widow of a veterinary surgeon. During the year 1846-47, no fewer than 2,783

widows received such pensions: the sum voted on their account was 138,819*l.*—(*Army Estimates for* 1846-47, pp. 83, 84.)

A considerable sum (105,000*l.* in 1846-47) is also annually voted to enable Her Majesty to make compassionate allowances and gratuities to the families and relatives of deceased officers in distressed circumstances, and to officers who have lost an eye, or sustained other serious and permanent injury on service.—(*Estimates for* 1846-47, p. 84.)

Soldiers' Pensions.—A considerable part of a soldier's remuneration has been made to depend on pensions and gratuities given for wounds received in action, length of service, &c. The expediency of this arrangement is obvious. The pay and the habits of a soldier are not such as afford any rational prospect of his making any certain provision for old age; and, though they were, the casualties to which he is exposed, especially during war, would in many instances effectually hinder him from accomplishing anything of the sort. But it would be alike degrading to the profession, and injurious to the best interests of the nation, were those who had been disabled in the public service to be thrown as paupers on the parish; or that deserving soldiers, after serving for fourteen years, or upwards, should be turned adrift with nothing to depend upon. To obviate the hardships and inconvenences which would result from such a state of things, pensions and gratuities are granted under certain conditions, in consideration partly of wounds or disabilities received in the service, and partly of length of service.

The first general regulation as to pensions was issued in 1806. A number of warrants, bearing upon the same subject, having been issued at different subsequent periods, a general warrant, consolidating and amending their various regulations, was issued in November, 1829 (see *ante*, p. 445). But this was subsequently superseded by the warrant issued on the 7th of February, 1833; which promulgated a new, and, as previously seen, a less liberal scale of pensions and gratuities. But in it, as in all previous warrants, the right of the soldier to be pensioned according to the regulations in force when he enlisted is preserved.

The pensions granted under this warrant are either permanent or temporary, according to circumstances. Pensions for wounds in action differ, according to the severity of the wound, from 6*d.* a day to a private, and 1*s.* to a sergeant, to 2*s.* to a private, and 3*s.* to a sergeant; and in cases of extreme suffering, an additional grant may be made, not exceeding 6*d.* a day. The loss of sight, from causes attributable to the service, is recompensed by a pension of from 9*d.* to 1*s.* a day. Men unfit for the ordinary duties of a soldier, and discharged after twenty-one years' service in the infantry, and twenty-four years' service in the cavalry, receive a permanent pension varying from 6*d.* to 1*s.* a day for privates, to 1*s.* and 1*s.* 6*d.* a day for sergeants. Men discharged, after the above-mentioned periods of service, as unfit for the ordinary duties of a soldier, and who are at the same time incapable, by injuries contracted in the service, of earning a sufficient livelihood, receive, in addition to the above rates, 3*d.* and sergeants 6*d.* a day. Men discharged from the service, and unfit to earn a livelihood, after fourteen and twenty-one years' service, receive permanent pensions; privates, of 6*d.* and 8*d.*, and sergeants, of 9*d.* and 1*s.* a day. Temporary pensions are also granted to persons, unfit for the ordinary duties of a soldier, leaving the army under seven

years' service; and to those leaving it, for the same cause, above seven but under ten years' service, and so on. Soldiers of good character, though enlisted for indefinite periods, may, at their own request, be discharged, on payment of certain fixed sums, after certain specified terms of service; and they are entitled to a *free* discharge in the infantry after fifteen, and in the cavalry after sixteen, years' service. Soldiers obtaining free discharges are also entitled, if they settle in any of the colonies, to gratuities varying with the length and description of their service, which are to be paid on their settlement. Gratuitous and honorary medals are also given for good conduct and meritorious services.

Chelsea Hospital.—This magnificent establishment was founded in the reign of Charles II., for the relief and support of disabled and worn-out soldiers. It is managed by a board of commissioners, to whose superintendence the various regulations as to the granting of pensions in the army is committed; and who admit a certain number of persons into the establishment, where they are boarded and lodged. Hence the distinction between *in* and *out* pensioners; soldiers living in any part of the country, and receiving a pension, being called out-pensioners of Chelsea Hospital; while those who reside in the house are called in-pensioners. The numbers of the latter vary; but at present they amount to 539. The total out-pensioners upon Chelsea Hospital, in 1846-47, amounted to 69,862; their annual expense being 1,215,028*l.* We subjoin an account of the number of out-pensioners upon Chelsea Hospital in 1846-47, classified according to the description of force to which they belonged, and specifying the numbers in each class, and the daily pensions payable to each:—

Account of Out-Pensioners of Chelsea Hospital in 1846-47.—(From Army Estimates for 1846-47, p. 86.)

Numbers and Classes.						Rate.	For one Day.
Regulars.	Black Corps.	St. Helena Corps.	Ordnance.	Yeomanry.	Total.		£. s. d.
..	..	..	..	..	103	d. at 1¼ per diem.	0 13 6
..	108	..	..	..	7	2 ,,	0 1 2
..	7	..	..	..	2	2½ ,,	0 0 5
..	2	..	..	..	97	3 ,,	1 4 3
..	97	..	..	..	2	3½ ,,	0 0 7
..	2	..	..	..	10	4 ,,	0 0 8
..	2	..	..	..	18	4½ ,,	0 3 9
..	10	..	..	3	3,510	4¾ ,,	0 7 1½
10	..	..	1,063	..	43	5 ,,	73 2 6
1,336	911	..	19	30	12,472	5½ ,,	0 19 9½
..	24	..	767	..	22	6 ,,	311 16 6
11,563	107	5	19	..	2,015	6½ ,,	0 11 11
..	2	..	76	..	15	7 ,,	56 15 5
1,891	48	..	12	..	514	7¼ ,,	0 9 4½
..	3	..	39	..	14	8 ,,	17 2 8
235	240	..	14	6	10,659	8½ ,,	0 9 11
..	..	..	778	..	23	9 ,,	399 14 3
9,232	6	17	23	..	2,183	9½ ,,	0 18 2½
..	..	..	77	..	13	10 ,,	83 17 6
2,003	53	..	13	..	359	10½ ,,	0 11 4½
..	..	..	81	..	34	11 ,,	16 9 1
328	..	..	19	..	..	11½ ,,	1 12 7
15	..	..	..	1	16,020	12 ,,	..
..	..	..	2,012	1	20,360	At different rates between 1s. and 2s. per diem, in consequence of being totally disabled by blindness or otherwise . . .	801 0 0
18,950	16	41	2,851				
17,517	3	8					1,399 13 0
1,175	..	..	215	..	1,390	At different rates, between 2s. and 3s. 7¼d. per diem.	154 1 11
60,075	1,642	71	8,028	46	69,862		3,323 16 10½
						Which, for 365 days is	1,215,027 19 5

A royal school is attached to Chelsea Hospital; where the orphans and other children of soldiers are brought up and educated.

Distribution of the Forces.—Owing to the number of our colonies and other possessions, some of which are to be found in every part of the world, the British army is more widely diffused than that of any other power; and it may safely be affirmed that, compared with its numbers, the duties imposed on it, and which it has never failed to discharge, are far more onerous than those imposed on the troops of any other nation. Indeed it seems to be the all but universal opinion of those best acquainted with such subjects, that the army is overworked; and that to preserve its efficiency, and that security which is so essential to all parts of the empire, a very considerable addition should be made to its numbers. We subjoin—

A Statement showing the Establishment and Effectives of the British Army, and Officers and Men, with its distribution on the 1st of January, 1839, and the 1st of January, 1845.—(Parl. Paper, No. 635, Sess. 1845.)

	On the 1st January, 1839.				On the 1st January, 1845.			
	Establishment.		Effectives.		Establishment.		Effectives.	
	Officers.	Rank and File.	Officers.	Rank and File.	Officers.	Rank and File.	Officers.	Rank and File.
At Home, including Reliefs.								
Great Britain . . { Cavalry . . .	437	4,808	437	4,752	372	4,195	372	4,206
{ Foot Guards . . .	158	3,040	158	2,901	218	4,640	218	4,561
{ Infantry . . .	832	13,541	832	13,011	1,030	20,860	1,030	20,955
	1,427	21,479	1,427	20,664	1,620	29,795	1,620	29,722
Ireland . . . . { Cavalry	135	1,520	135	1,443	189	2,129	189	2,0·7
{ Infantry . . .	918	14,857	918	13,914	944	18,240	944	18,167
	1,053	16,377	1,053	15,357	1,133	20,368	1,133	20,254
Total	2,480	37,856	2,480	36,021	2,753	50,163	2,753	49,976
Abroad, exclusive of India.								
Gibraltar	125	2,305	125	2,422	118	2,700	118	2,738
Malta	125	2,384	125	2,428	93	2,184	93	2,148
Ionian Islands	100	1,916	100	1,941	92	2,280	92	2,3·2
Cape of Good Hope . . { Cavalry . .	..	..	..	..	29	311	29	197
{ Infantry . .	89	1,911	89	2,100	117	2,640	117	2,485
St. Helena	25	559	25	436	21	375	21	357
West Coast of Africa	30	479	30	623	26	600	26	622
Canada . . . . . { Cavalry . .	46	513	46	492	..	..	..	..
{ Foot Guards . .	50	1,016	50	1,560	..	..	..	..
{ Infantry . .	350	8,400	350	8,072	275	6,400	275	6,435
Nova Scotia, &c.	116	2,699	116	2,274	108	2,460	108	2,247
Bermuda	25	479	25	485	42	1,080	42	1,044
Windward and Leeward Colonies . . .	226	4,911	226	4,277	184	3,700	184	3,424
Jamaica, Bahamas, and Honduras . .	150	3,233	150	2,756	142	2,480	142	2,336
New South Wales	156	2,956	156	2,382	160	4,000	160	3,6 6
Mauritius	75	1,437	75	1,370	67	1,620	67	1,6·0
Ceylon	206	3,669	206	3,530	156	2,953	156	2,740
China	..	..	..	..	104	2,000	104	1,967
Total	1,904	39,557	1,904	37,143	1,724	37,783	1,724	36,447
India, including Depôts . . { Cavalry . .	189	2,700	189	2,709	236	3,370	236	3,400
{ Infantry . .	1,071	15,540	1,071	15,420	1,196	23,000	1,196	25,145
Total	1,260	18,240	1,260	18,219	1,432	26,370	1,432	28,635
General Total	5,644	95,653	5,644	91,388	5,909	114,316	5,909	115,058

Militia.—This term, in its general sense, means the whole body of persons, whether stipendiary or not, who bear arms in defence of the state. But, amongst us its meaning is restricted to the county forces selected by lot from the inhabitants, and commanded by the lords-lieutenant. The standing army being, as already stated, an object of

much jealousy with many persons; and the necessity of having a force provided, not merely for the preservation of internal tranquillity, but to oppose an enemy in the case of invasion, led most persons attached to popular principles to recommend the substitution of a militia for a standing army. This favourite plan was carried into effect in 1757. By the Act then passed (18 Geo. II., c. 30), a certain number of the inhabitants of every county, selected by ballot, were to serve in the militia for three years, or else to provide substitutes. They were to be annually called out, trained, and disciplined for a certain number of days; and were to be officered by the deputy lieutenants and principal landholders. They were not compellable to march out of their respective counties, except in case of invasion or of actual rebellion; nor were they in any case compelled to march out of the kingdom. While upon duty, they were subject to martial law; but at other times this was not the case. Subsequent Acts considerably altered and modified this system. During the late war, the militia was kept constantly on foot, and might be sent to any part of the kingdom; so that it differed little from the regular army, except that it could not be sent abroad, and that it was recruited by ballot. But, in addition to the above, a militia, called *local*, corresponding very closely to the militia of the reign of George II., was established in every county. After the peace of 1815, the militia was disembodied: it may, however, be still called out if necessary, but that is rarely thought to be the case.

The popularity that attached to the militia at its first formation was but short-lived; and it soon began to be looked upon rather as a sort of preparatory school for the regular army, than as good for any thing else. During the late war, the militia laws inflicted a very great hardship upon the lower classes. The persons liable to the ballot were partly rich and partly poor; but personal service was not essential, the parties chosen being at liberty either to provide a substitute, or to pay certain sums. In point of fact, therefore, the militia degenerated into a sort of capitation tax; with this oppressive and unjust peculiarity, that it fell with as much severity on the poor as on the rich; so that, while it only imposed a trifling sacrifice on the latter, it often forced the poor man from his home, and compelled him to become a soldier. In consequence, the militia became exceedingly unpopular; and it is not very probable that the hardship and injustice inseparable from it would be again submitted to.

Volunteers, Yeomanry.—In addition to the standing army and the militia, there were embodied, during the late war, very large bodies of volunteers, consisting partly and principally of voluntary infantry (volunteers), and partly of voluntary cavalry, or yeomanry. These were called out each year, and disciplined for three weeks; and as they consisted entirely of volunteers, and were not called upon to leave their homes, or to quit their ordinary employments, except for the short period they were in quarters, the duty was not found to entail any serious privation. The volunteers were disbanded at the peace; but numerous troops of yeomanry, which is probably the best of that description of force, are still kept up.

According to the muster-rolls in the early part of 1836, the yeomanry force of Great Britain consisted of 338 troops, including 1,155 officers

and 18,210 men. The total cost to the public may be estimated at about 100,000*l.* a-year.—(*Parl. Paper*, No. 405, Sess. 1836.)

We, however, are firmly impressed with the conviction, that a standing army, constituted by voluntary enlistment, is decidedly superior to any other description of force that can be employed, either to maintain tranquillity at home, or to carry on war abroad. The benefits of the division of labour are as conspicuous in this as in any other department. To be a good soldier, a man must be nothing else. Militiamen and yeomanry, called only for short periods from their ordinary avocations, never acquire those habits of discipline, and of prompt and willing obedience, that are of the essence of a soldier. They are more than half citizens; and, being actuated by all the partialities and prejudices of the district or sect to which they belong, they always act under a bias, and can with difficulty be kept to the strict line of their duty. A regular soldier has no such partialities: he does what he is ordered, and he does no more. The fear of his being employed to subvert the constitution, and to establish arbitrary government, is too absurd to deserve notice; and it would be childish in the extreme, to deny ourselves the great and signal advantages derivable from a standing army when kept within due bounds, from any ridiculous apprehension of its being employed to overthrow that liberty and security of which it is the best support.

Police.—Exclusive of troops, militia, and yeomanry, a police force is kept up in most large towns. This is a description of civil force, maintained for the preservation of good order, and the prevention of crime; the organisation and efficiency of which differ in different places. Its expenses are usually defrayed by a rate laid on the inhabitants of the town or place where it is established. The metropolitan police was newly organised a few years ago; and is now a very effective force. At present it consists, exclusive of commissioners, clerks, &c., but including superintendents, inspectors, sergeants, and privates, of nearly 4,000 individuals. The 2 and 3 Vict., c. 93, authorised the different counties of England and Wales, provided they thought proper, to establish a constabulary force for the maintenance of the public tranquillity, consisting of chief constables, inspectors, &c. Various counties have availed themselves of the powers conferred by this Act. In 1843, 2,216 officers and men were embodied under its provisions, the nett expenditure on their account being 145,803*l.*—(*Parl. Paper*, No. 222, Sess. 1844.)

Police, Ireland.—The police or constabulary force of Ireland is armed, and has more of a military than of a civil character. According to recent arrangements, a lord-lieutenant is appointed to each Irish county, through whom all communications to the Irish government are made. The lords-lieutenant are assisted in the discharge of their duties by an indefinite number of deputy lieutenants. All these officers act gratuitously, and are removable at pleasure. The constabulary force amounted, on the 1st of January, 1845, to 35 county inspectors, 210 sub-inspectors, 260 head-constables, 1,458 constables, and 7,407 sub-constables; making a total of 9,370 men, maintained at an expense of 451,577*l.*—(*Parl. Paper*, No. 234, Sess. 1845.)

Sect. 2.—*Navy.*

The navy of Great Britain has long been her pride and best bulwark. The sea service has always been popular. No one fears that the sailors in the pay of the State will ever be employed to subvert the national liberties; and, not being engaged in the preservation of internal peace and good order, they escape all that suspicion and unpopularity that sometimes attach to the military: they are, in fact, formidable only to our enemies; and our exemption for so long a period from hostile aggression, though partly ascribable to our insular situation, is mainly a consequence of the superiority of our navy. The House of Lords, in an address to Queen Anne, in 1707, laid it down as "a most undoubted maxim, that the honour, security, and wealth of this kingdom does depend upon the protection and encouragement of trade, and the improving and right encouraging its naval strength * * * therefore, we do in the most earnest manner beseech your Majesty, that the sea affairs may always be your first and most peculiar care." And there cannot be a question that, in this instance, the Lords gave utterance to what were then, and have ever since been, the sentiments of the great majority of the nation.

Progress of the Navy.—Notwithstanding the vast naval power of Great Britain in the last and present centuries, the navy did not become formidable till the reign of Elizabeth. Previously to her reign, or that of her father, our sovereigns had but few ships; when they wished to transport an army to France, or to undertake any considerable naval enterprise, it was usually effected by requisitions of ships and seamen from the different seaport towns, which were dismissed as soon as the occasion for their service was over. The naval force collected to oppose the Armada consisted of 176 ships, and about 15,000 men; being a larger armament than had ever been previously brought together under any English commander. But of this fleet, only about 40 ships and 6,000 men belonged to the royal navy; the rest of the ships and men being furnished by London, Bristol, Yarmouth, the Cinque Ports, &c. At the end of Elizabeth's long and prosperous reign, the navy consisted of 42 ships, of different sizes, of the estimated burthen of 17,000 tons, and carrying 8,340 men.

During the pacific reign of James I. the navy, though not neglected, was not materially enlarged. Charles I. added, in the early part of his reign, several ships to the navy; but in 1648 Prince Rupert carried off 26 ships, none of which ever returned to England. So reduced, indeed, was the navy at the commencement of Cromwell's government, that he had only 14 ships of war of two decks, some of them carrying only 40 guns. But his vigorous and able administration speedily raised the navy to a magnitude and power formerly unknown; and, under the command of Blake, it became not merely equal, but superior to that of the Dutch, then the greatest maritime power of Europe. When greatest, Cromwell's navy consisted of about 150 sail, of which more than 50 had two decks. The seamen employed exceeded 20,000. Cromwell divided the navy into rates and classes, nearly in the same way as at present.

James II., when Duke of York, and afterwards when king, paid

much attention to the navy and to naval affairs; and greatly distinguished himself in some desperate engagements with the Dutch. At his abdication the navy amounted to 173 sail, measuring 101,892 tons, and having on board 6,930 guns, and 42,000 seamen.

The famous battle off Cape la Hogue, in 1692, gave the British navy an ascendancy over that of France which it has ever since preserved. It was, besides, materially increased during the reign of William III., being continued nearly on the footing on which he left it during the reigns of Anne and George I. In the wars of 1744 and 1755, our naval enterprises were crowned with the most signal success. In 1760, at the demise of George II., the navy consisted of 412 ships, measuring 321,104 tons; the men voted for the naval service that year being 51,645 seamen, and 18,355 marines. The total sum voted on account of the navy during the same year was 5,611,508*l*.

The progress of the navy since 1760 is familiar to every one. It is sufficient, therefore, to observe, that, though the combined fleets of France and Spain seemed to have an ascendancy during part of the American war, the victories of Rodney restored our previous superiority. The nature of the struggle with revolutionary France, the bitterness with which it was carried on, and the fleets required not merely for the protection of our own shores, but for that of our mercantile shipping, and of our numerous colonies in all parts of the world, led to an immense increase of our naval force; and while our navy was thus progressively augmented, the decisive victories of the 1st of June, 1794, and of St. Vincent, Camperdown, the Nile, Copenhagen, and Trafalgar, almost destroyed every fleet that could be opposed to it, leaving us the undisputed masters of the ocean.

Rating of Ships.—It is of very considerable importance, in order to insure union in the movements of a fleet, and to facilitate their fitting out and repair, that ships of the same rate or class should not differ materially in size or build from each other: this, however, has been too little attended to. Sir John Barrow mentions, in proof of the inconveniences resulting from the improper rating of ships, that when Lord Nelson was off Cadiz with 17 or 18 sail of the line, he had no fewer than seven different classes of 74-gun ships, each requiring different sized masts, sails, &c.; so that in the event of one of these being disabled, the others could not supply her with stores suitable to her wants! (*Supplement to Encyc. Brit.* vol. vi. p. 31.)

To obviate these inconveniences, a new classification of shipping was introduced in 1816; and it is now ordered that the Navy shall be rated as follows:—

1. Rated Ships, viz., ships registered on the list of the Royal Navy, under one of the six following rates:—

First Rates, to comprise all ships carrying 110 guns and upwards, or whose complements consist of 950 men or more.

Second Rates, to comprise one of her Majesty's yachts, and all ships carrying under 110 guns, and not less than 80 guns, or whose complements are under 950, and not less than 750 men.

Third Rates, to comprise her Majesty's other yachts, and all such vessels as may bear the flag or pendant of any admiral superintendent, or captain su-

perintendent of one of her Majesty's dock-yards; and all ships carrying under 80 guns, and not less than 70; or whose complements are under 750, and not less than 620 men.

Fourth Rates, to comprise all ships carrying under 70 guns, and not less than 50; or whose complements are under 620, and not less than 450 men.

Fifth Rates, to comprise all ships under 50 guns, and not less than 30; or whose complements are under 450, and not less than 300 men: and

Sixth Rates, to consist of all other ships bearing a captain.

2. Sloops:—

To comprise bomb-ships and all other vessels commanded by commanders.

3. All other ships commanded by lieutenants, and having complements of not less than 60 men.

Smaller vessels not classed as above, to have such smaller complements as the Lords Commissioners of the Admiralty may from time to time direct.*

Subjoined is an account of the ships in commission and in ordinary in 1792, 1815, and 1839.

		1st Rate.	2nd.	3rd.	4th.	5th.	6th.	Small Vessels, &c.
Ships in Commission	1792	..	2	10	5	14	12	81
	1815	1	2	22	5	50	25	113
	1839	4	5	15	2	8	21	120
Ships in Ordinary	1792	7	19	102	16	79	30	179
	1815	12	15	173	13	100	80	167
	1839	14	10	31	15	53	3	23

Navy of Great Britain in 1839, *exclusive of Ships being Built.*

	1st Rate.	2nd.	3rd.	4th.	5th.	6th.	Small Vessels.
Ships in Commission .	4	5	15	2	8	21	120
Ships in Ordinary . .	14	10	31	15	53	3	23
Total Ships . .	18	15	46	17	61	24	143

Number of Seamen and Marines, and Sums voted on account of the Naval Service in 1792, 1815, *and* 1846.

Years.	Men.	Sums.
		£.
1792	16,000	1,985,482
1815	70,000 for 3 months 90,000 for 10 months	17,032,700
1846	40,000	7,476,953

N.B. These sums include the *non-effective* as well as the effective services. The expenses of the navy in 1792 really amounted to 2,561,192*l.*; for, besides the sums voted, 444,710*l.* was added to the navy debt, and an armament, not included in the above, cost 131,000*l.*

* This table, and several of those that follow, are extracted from the *Navy List*, published by authority. This list contains a great deal of useful information; and is, in all respects, as superior as can well be imagined to the Army List. The latter contains little or nothing save an account of the general and field officers, and of the officers of the different regiments.

Account of the various Items voted on the Navy Estimates for the Year 1846–47.

Description of Items.	Amount.
	£.
Wages to Seamen	1,294,720
Victuals for ditto	645,048
Admiralty Office	129,714
General Register and Record Office of Seamen	9,501
Scientific Branch	40,015
Her Majesty's Establishments at Home	129,932
Her Majesty's Establishments Abroad	23,902
Wages to Artificers, &c., employed in Her Majesty's Establishments at Home	752,427
Wages to Artificers, &c., employed in Her Majesty's Establishments Abroad	43,720
Naval Stores, &c., for the Building and Repair of Ships, Docks, Wharfs, &c.	1,636,426
New Works, Improvements, and Repairs in the Yards, &c.	526,810
Medicines and Medical Stores	21,273
Miscellaneous Services	71,075
Total for the Effective Service	5,324,563
Half Pay to Officers of the Navy and Royal Marines	705,448
Military Pensions and Allowances	486,322
Civil Pensions and Allowances	156,548
Total for the Naval Service	6,672,881
For the Service of other Departments of Government.	
Army and Ordnance Departments (Conveyance of Troops)	166,626
Home Department (Convict Service)	92,859
Post Office Department (Contract Packet Service)	544,587
Grand Total	7,476,953

(*Navy Estimates for* 1846–47, *p.* 3.)

Cost of Building and Repairing Ships.—The expense of building and fitting out ships of war differs widely at different periods: it depends partly on the mode in which they are built, rigged, &c., and partly on the price of timber, iron, canvass, cordage, &c., at the time. The following statement is believed to be nearly accurate, in so far as respects the quantities of timber, canvass, and cordage, required for different classes of ships; but, for the reasons now stated, little or no reliance can be placed on the estimate of their aggregate expense.

Table showing the Loads of Timber, Yards of Canvass, and Fathoms of Rope, required for each Rate of Ships of War, with the Expense of their Hull, Masts, Yards, Rigging, &c.

Number of Guns.	Tonnage.	Loads of Timber.	Yards of Canvass.	Fathoms of Rope.	Expense of Hull, Masts, Yards, &c.
					£.
120	2,602	5,880	20,101	30,250	100,394
80	2,279	4,339	20,791	32,400	71,782
74	1,741	3,600	17,434	27,152	64,073
52	1,469	2,372	17,514	28,700	41,355
46	1,063	1,800	12,373	20,728	31,316
28	500	963	8,118	19,031	17,120
Corvette 18	456	624	8,816	19,350	13,037
Brig. . 18	382	471	6,394	10,709	10,128
10	235	337	4,656	7,335	6,721
Schooner —	183	250	4,540	..	4,975
Cutter . —	161	186	4,729	..	4,502

The wear and tear of ships in the navy when afloat, and especially during war, is necessarily very great, but, owing to the prevalence and destructive ravages of the *dry rot* in timber, the waste of ships, even

when laid up in ordinary, has sometimes been quite extraordinary: in fact, instances have occurred in which the hulls of new ships have been found so much affected with this disease, that it has been necessary to give them a thorough repair, or almost to rebuild them, before they were in a state to go to sea! Many plans and precautions have been suggested for obviating the influence of this "timber plague;" but their success, though considerable, has been far from complete. Should any easily available plan of extirpating it be discovered, the advantage will be very great, not merely in the saving of expense in the repair of Her Majesty's ships, and of our mercantile navy, but in rendering ships more efficient, and in preventing the destruction of much valuable timber. Subjoined is an account, deduced from the navy estimates, of the cost of building new ships, and of the expense of the repair and of the ordinary wear and tear of her Majesty's ships, from 1800 to 1819, both inclusive.

Estimated Charge for the Building, Repair, and Wear and Tear of Ships, from 1800 *to* 1820.

Year.	Building.	Repairs.	Ordinary Wear and Tear.	Total each Year.
	£.	£.	£.	£.
1800	399,170	230,960	227,549	857,679
1801	506,290	233,640	227,840	967,770
1802	340,350	319,970	252,040	912,360
1803	422,860	376,790	255,360	1,055,010
1804	406,810	433,500	198,340	1,038,650
1805	641,290	833,970	216,760	1,692,020
1806	1,677,440	238,040	254,750	2,170,230
1807	1,528,970	517,779	271,805	2,318,554
1808	1,564,344	689,054	270,929	2,524,327
1809	1,503,729	679,267	354,2'4	2,537,210
1810	1,073,734	652,079	358,684	2,084,497
1811	1,304,019	546,958	403,360	2,254,337
1812	1,138,504	447,995	275,316	1,861,815
1813	1,984,772	612,916	432,518	3,030,206
1814	907,038	774,622	430,671	2,112,331
1815	680,089	1,006,762	462,242	2,149,093
1816	645,249	920,082	535,589	2,100,920
1817	569,033	570,244	364,625	1,503,902
1818	664,240	570,750	310,000	1,544,990
1819	763,620	381,810	310,000	1,455,430
Totals .	18,721,551	11,037,188	6,412,592	36,171,331

Government of the Navy.—The general direction and control of all affairs connected with the navy is entrusted, under Her Majesty, to the Lord High Admiral, or to the commissioners for discharging the functions of that officer. The duties of the Lord High Admiral were formerly judicial as well as administrative; he having not merely to govern the navy, but to preside over a court for adjudging all nautical cases, and for taking cognisance of all offences committed on the high seas. But the judicial are now separated from the other duties of this high functionary, being devolved upon the Judge of the Admiralty Court.—(See *ante*, p. 189.)

From the reign of Queen Anne down to the present time, with the exception of the short period during which William IV., when Duke of Clarence, held the office, the duties of the Lord High Admiral have been discharged by commissioners. These have consisted gene-

rally of a first lord, and of four or six junior lords. Civilians may be appointed to these offices; but at least two of the lords are always professional men. But, though assisted by junior lords, practically, all the power and authority of the board is vested in the first lord. We agree with those who contend that this is the best arrangement. It gives that efficiency and consistency to the orders of the board they could hardly be expected to possess were the authority of the different lords equal; and it also produces a greater responsibility and attention to his duties on the part of the first lord. The powers exercised by the Board of Admiralty are extensive and important. By their orders all ships are built, repaired, fitted for sea, or laid up in ordinary, broken up, or sold; put in commission, or out of commission; armed, stored, and provisioned; employed on the home or on foreign stations. All appointments, or removals of commission and warrant officers, are made by them; and all instructions issued for the guidance of their commanders; all promotions in the several ranks emanate from them; all honours bestowed for and without services, and all pensions, gratuities, and superannuations for wounds, infirmities, and long services, are granted on their recommendation. All returns from the Fleet are sent to the Board of Admiralty, and every thing that relates to the discipline and good order of every ship. All orders for payment of naval moneys are issued by the lords commissioners of the Admiralty; and the annual estimate of the expenses of the navy, prepared by them is laid before Parliament for its sanction. All new inventions and experiments are submitted to them before being introduced into the service; all draughts of ships must have their approval; all repairs, alterations, and improvements in the dock yards, and all new buildings, of every description, must be decided upon by them before they are undertaken. (*Supp. to Ency. Britannica*, art. NAVY.)

There are three gradations of admirals, viz., admirals, vice-admirals, and rear-admirals; and each of these gradations consists of three divisions, distinguished by the colour of their flags. Thus, there are admirals of the red, the white, and the blue squadrons, bearing their respective flags at the main-top-gallant mast-head; vice-admirals of the red, the white, and the blue squadrons, bearing their respective flags at the fore-top-gallant mast-head; and rear-admirals of the red, the white, and the blue squadrons, bearing their respective flags at the mizen-top-gallant mast-head. All admirals, whatever be their rank, take the common title of *flag officers*.

Admirals rank with generals in the army, vice-admirals with lieutenant-generals, and rear-admirals with major-generals. The command of each ship is intrusted to a captain, or to a commander, who has under him a certain number of lieutenants, according to the size of the ship, with a master, purser, midshipmen, gunners, &c. A captain of three years' standing ranks with a colonel in the army, and a captain of less than three years' standing with a lieutenant-colonel; a commander ranks with a major, and a lieutenant with a captain. The captain is responsible for the discipline and efficiency of the crew, and the good order of the ship. Notwithstanding he is furnished with minute instructions for his guidance in every particular, much must

always necessarily depend on his conduct and character. He has power to order punishment to be inflicted; but it must be done in the presence of all the officers and ship's company. An account, stating all the circumstances, must also be entered in the ship's log, an abstract of which is forwarded each quarter to the Admiralty. This regulation has tended to repress hasty and inconsiderate punishment; and has done much to improve the conduct of the officers, as well as to promote the proper discipline of the navy.

Appointment of Officers.—Young gentlemen enter the service as volunteers of the 1st class; and every officer, commissioning a ship, is allowed to make *one* fresh entry. A volunteer must remain two complete years in that capacity, and attain the age of fourteen, before he can be rated a midshipman; when he has completed six years' service, and attained the age of nineteen, he may be examined in seamanship, and also in navigation, for the rank of lieutenant; and should he pass such examination, he is eligible to hold a warrant as mate, if his conduct be satisfactory to his captain.

Young gentlemen were formerly allowed to enter the service by becoming students at the Naval College at Portsmouth, but that establishment was abolished by the Board of Admiralty in 1835.

No person can receive a commission as lieutenant unless he have passed the above examinations; but having done so, he is eligible for promotion to that rank. A lieutenant is not eligible for a commander's commission till he have served two years at sea in a ship of war as lieutenant; nor is a commander eligible for a captain's commission till he have served one complete year at sea in a ship of war as commander.

In 1830 a temporary restriction was placed on promotions by a minute of the Admiralty Board. This limited the promotion of officers to the rank of captain, and all below that rank, to filling up one in three vacancies on the list, with the exception, viz., 1st, of death vacancies on foreign stations, which the commanders-in-chief have authority to fill up; 2d, the reservation to the Admiralty of power to promote for special or brilliant services; 3d, of the occasion of a commander-in-chief striking his flag; and 4th, on the recommendation of the Board of Customs for services in the coast guard.

Captains and admirals are promoted by seniority, on what is termed a "flag promotion" taking place; but a captain must have served as under, in command of a rated ship, before he can obtain his flag; viz.,

In war	4 years.
In war and peace combined . .	5 ,,
In peace.	6 ,,

All other classes of officers are promoted at the discretion of the Board of Admiralty.

Enrolment of seamen.—Any person may enter the navy as a common seaman, on application to the commanding officer of any of Her Majesty's ships in commission, provided he be approved by the examining surgeon, and have not previously been "discharged from the service with disgrace."

Persons who have never been at sea are rated as landsmen, and seafaring men are rated as "ordinary" or "able" seamen, besides numer-

ous gradations of petty officers to which they are rated at the discretion of the commanding officer.

Seamen are also obtained for the navy at the breaking out of a war, or on any other emergency, by the practice of *impressment*. The antiquity and legality of this practice cannot be questioned; but very great doubts have been, and may be, entertained of its expediency.* Foreigners are the only persons exempted at common law from impressment; but exemptions have been created by acts of parliament in favour of various classes, as landsmen, apprentices, foreigners, seamen employed in the fisheries, watermen in the service of fire insurance companies, &c.

Marines.—Privates are received into the marine corps from 18 to 25 years of age, provided they be 5 feet 7½ inches high, and approved on examination by the surgeon.

Discipline of the Navy.—The rules and provisions for the enforcement of discipline and good order in the navy, are embodied in an act of the 22 Geo. II., explained and amended by an act of the 19 Geo. III. These acts form what may be called the martial law of the navy; and to them we beg to refer the reader for an account of the penalties imposed on cowardice, neglect of duty, &c.

Pay, &c., of officers and men.—Full pay differs not only according to the department of the service to which officers and men are attached, but also, in some instances, according to the rate of the ship on board which they are serving.

Full Pay of the Royal Navy.—*Flag Officers*, per diem: Admiral of the Fleet, 6*l.*; Admiral, 5*l.*; Vice-Admiral, 4*l.*; Rear-Admiral, Commodore of First Class, and Captain of the Fleet, 3*l.*; Commodore of Second Class, 1*l.*, or 10*s.* in addition to pay as Captain, according to Admiralty Order. If commanding in chief, a further sum of 3*l.* while his flag is flying within the limits of his station.

Captains of ships of the line, except flag ships, 53*l.* 14*s.* per lunar month; Senior Captains of the Ordinary, and other such establishments, 46*l.* 0*s.* 8*d*; Captains of regular flag ships, and of fourth rates, 38*l.* 7*s.*; all other Captains, 30*l.* 13*s.* 8*d.*

Commanders, 23*l.* 0*s.* 4*d.* per lunar month, in all rates authorized to bear one.

Lieutenants in command of any ship, except surveying and packet establishment, senior of a sea-going rated ship, of a rated surveying vessel (if receiving no additional surveying pay), or of a troop ship, if of seven years' standing, 15*l.* 8*s.*; all others, 14*l.* per lunar month.

Master of the Fleet, 16*s.* 5*d.* per diem. Masters in line-of-battle ships, 16*l.* 6*s.* 8*d.*; in other ships, 14*l.* per lunar month. Store allowances when in charge—First rate, 6*l.* 10*s.* 11*d.*; second rate, 5*l.* 19*s.* 10*d.*; third rate, 5*l.* 5*s.* 8*d.*; fourth rate, 3*l.* 19*s.* 1*d*; fifth rate, 3*l.* 14*s.* 9*d.*; sixth rate, 3*l.* 2*s.* 2*d.*; sloops, 2*l.* 17*s.* 4*d.*

Mate, 5*l.* per mensem, in all rates.

Second Master, 5*l.* 9*s.* 4*d.* in line-of-battle ships, and 5*l.* per mensem in all others. In vessels where no Master is borne, is to receive 5*l.* 9*s.* 4*d.* per mensem, and store allowance of 2*l.*, or in vessels where the Master is absent, or from any other cause he has charge of stores, to receive such allowance as the Lords of the Admiralty shall decide.

Chaplains, 12*l.* 5*s.* per lunar month. In addition, if acting as Naval Instructor, under three years' service as such, 7*l.* 7*s.*; above three years, 8*l.* 1*s.*; above seven, 8*l.* 17*s.* 4*d.*; above ten, 10*l.* 10*s.*; with tuition allowance of 5*l.* for each young gentleman.

Medical Inspectors of less than ten years' service as such, 44*l.* 2*s.*; after ten years, 58*l.* 16*s.* per lunar month. *Deputy Inspectors*, 28*l.* Surgeons of hospitals on

* For remarks on the policy of impressment, and the propriety of its abolition, see the note on Impressment, in the edition of the *Wealth of Nations*, by the author of this work.

appointment, with less than twenty years' service, 16*s.* 6*d.*; above twenty years, 1*l.* 0*s.* 6*d.* per diem. Of less than six years' full pay service, including service as Assistant-Surgeon, 15*l.* 8*s.*; above six years, 16*l.* 16*s.*; above ten, 19*l.* 12*s.*; above twenty, 25*l.* 4*s.* Of hospital ship, of whatever length of service, 25*l.* 4*s.* per mensem, in all rates. With such further allowance when employed in hospitals on shore as their Lordships may think proper.

(Surgeons on the list, and unemployed on the 1st of July, 1840, are entitled to the old scale of pay only, until they shall have served three years on full pay subsequent to the 1st of January, 1838.)

Secretary to Admiral of the Fleet, 1*l.* 7*s.* 4*d.* To a Flag Officer commanding in chief, 1*l.* 1*s.* 11*d.* To all other Flag Officers and Commodores of First Class, 16*s.* 5*d.*; Commodore of Second Class, 8*s.* 2*d.* per diem, and 5*s.* a-day from half pay of their respective ranks.

Paymasters and Pursers, 7*l.* per mensem in all rates.

Clerks.—If passed for Paymaster and Purser, 5*l.* per mensem. Unpassed clerks, 4*l.* per mensem.

Naval Instructors of less than three years' full pay service, 9*l.* 16*s.*; above three, 10*l.* 10*s.*; above seven, 11*l.* 18*s.*; above ten, 14*l.* per mensem, with tuition allowance of 5*l.* for each young gentleman.

Assistant Surgeon.—In ships where no surgeon is borne, of less than ten years' full pay service, 11*l.* 4*s.*; above ten, 14*l.* And where a surgeon is borne, of less than three years' full pay service, 9*l.* 16*s.*; above three, 10*l.* 10*s.*; above ten, 12*l.* 12*s.* per mensem.

Midshipmen, 2*l.* 8*s.* per mensem, in all rates.

Master's Assistant, 3*l.* 11*s.* per mensem, in all rates.

Naval Cadet, 1*l.* 2*s.* per mensem, in all rates.

Gunner, 7*l.* full pay; harbour service, 5*l.* 17*s.* 1*d.* per mensem.

Boatswain, 5*l.* 9*s.* 4*d.* full pay; harbour service, 4*l.* 6*s.* 4*d.* per mensem.

Carpenter, 4*l.* 14*s.* full pay; harbour service, 3*l.* 11*s.* per mensem (with 7*s.* a month for tools in every rate.)

Engineer.—First class, 12*l.* full pay; harbour service, 7*l.* 17*s.* Second class, 8*l.*; harbour service, 4*l.* 18*s.*, with allowance of 14*s.* a month for each boy instructed. Third class, 5*l.* 6*s.*; harbour service, 3*l.* 8*s.* per mensem. (When within the tropics, to be allowed half the full pay in addition while the steam is up.)

WORKING PETTY OFFICERS, per Mensem.—*First Class*—Ship's cook, 2*l.* 13*s.*; Admiral's coxswain, 2*l.* 12*s.*; leading stoker, 2*l.* 12*s.* (and when within the tropics, and steam up, half his pay in addition.) Master-at-arms, seaman's schoolmaster, sail-maker, rope-maker, carpenters' mate (with 7*s* a month for tools), caulker (with 7*s.* a month for tools while doing duty with carpenters), and blacksmith, 2*l.* 12*s.* in line-of battle-ships, and 2*l.* 9*s.* in all others. Ship's corporal, gunner's mate, captain's coxswain, quarter master, boatswain's mate, captains of the forecastle, maintop, foretop, and of the hold, coxswain of the launch, 2*l.* 5*s.* in all rates.

Second Class.—Sail-maker's mate, cooper, armourer, caulker's mate (with 7*s.* a month for tools while doing duty with carpenters), 2*l.* 4*s.* in all rates. Captains of the mast, afterguard, mizentop, yeoman of the signals, coxswain of the pinnace, paymaster and purser's steward, and musican, 2*l.* 1*s.* in all rates.

Remainder of Ship's Company.—Stoker and coal trimmer, 2*l.* 6*s.* (and when within the tropics, and steam up, half his pay in addition.) Carpenter's crew (with 7*s.* a month for tools), sailmaker's crew, cooper's crew, and painter, 1*l.* 16*s.* in all rates. Able seaman, yeoman of the store-room, flag officer's steward, cook, and domestic, captain's steward and cook, ward or gun room steward and cook, sub-officer's steward and cook, sick-berth attendant, 1*l.* 14*s.* in all rates.

Ordinary seaman, cook's mate, and barber, 1*l.* 6*s.*

Paymaster and purser's steward's mate, and landsmen, 1*l.* 3*s.* in all rates.

Seaman gunner, first five years from date of his passing certificate on gunnery, 2*s.*; second five years, 5*s.*; third five years, 7*s.*; in addition to his rating.

Diver, 1*s.* 6*d.*, to be paid when actually diving; 1*s.* for each period of slack water, or when there is no tide 1*s.* an hour in addition to his rating.

Engineer boys, first class, 1*l.* 14*s.*; second, 1*l.* 6*s*; third, 1*l.* 3*s.*; fourth, 14*s.* 6*d.* in all rates.

Boys of first class, and paymaster and purser's steward's boy, 14*s.* 3*d.* Boys of second class, 12*s.* 9*d.* in all rates.

Ranks and Ratings of Marines:—

Ranks and Ratings.	All Rates. Pay per Month.					
				Artillery.		
	£.	s.	d.	£.	s.	d.
Captain . . . If Brevet Major	17	10	0	18	4	0
Captain . . . Others	14	14	0	15	8	0
First Lieutenant . After 7 years	10	10	0	10	10	4
First Lieutenant . Under 7 years	9	2	0	9	11	4
Second Lieutenant	7	7	0	7	16	4
Cadets	5	0	0	.	.	
Colour Sergeant	2	14	1	3	6	8
Sergeant	2	0	1	2	12	8
Corporal . After 14 years	1	12	1	2	12	0
Corporal . From 7 to 14 years (if enlisted prior to 24th January, 1823)	1	9	9	2	9	8
Corporal . All others	1	7	5	2	7	4
Bombardier . After 14 years	.	.		2	8	0
Bombardier . From 7 to 14 years (if enlisted prior to 24th January, 1823)	.	.		2	5	8
Bombardier . All others	.	.		2	3	4
Fifer or Drummer	1	3	4	1	5	8
Gunner . After 14 years	.	.		1	8	10
Gunner . From 7 to 14 years (if enlisted prior to 24th January, 1823)	.	.		1	6	6
Gunner . All others	.	.		1	4	2
Private . After 14 years	1	4	1	.	.	
Private . From 7 to 14 years (if enlisted prior to 24th January, 1823)	1	1	9	.	.	
Private . All others	0	19	5	.	.	

Half Pay of Officers.—This is as follows:—

Rates of Half Pay at present established for the Navy and Marines.

	Per Diem.		
Flag Officers.	£.	s.	d.
Admirals of the Fleet	3	3	0
Admirals	2	2	0
Vice Admirals	1	12	6
Rear Admirals	1	5	0
Captains.			
To each of the first 100, as they stand on the general list of officers in seniority	0	14	6
To each of the next 150	0	12	6
To the rest	0	10	6
Commanders.			
To each of the first 150 on the list	0	10	0
To the remainder	0	8	6
Lieutenants.			
To each of the first 300 on the list	0	7	0
To each of the next 700	0	6	0
To the remainder	0	5	0

All Lieutenants promoted to that rank after 1 July, 1840, to receive four shillings a day, to be increased to five shillings a day after three years' service as Lieutenants in sea-going ships, and to advance as at present by seniority to the rates of six and seven shillings a day; but may be placed on the five shilling list, if, through illness contracted in the service, they shall have been unable to serve three years at sea in that rank.

Royal Marines.			
Colonels	0	14	6
Lieutenant-Colonels	0	11	0
Majors	0	9	6
Captains	0	7	0

	Per Diem.		
Royal Marines.	£.	s.	d.
First Lieutenants of seven years' standing	0	4	6
The rest	0	4	0
Second Lieutenants	0	3	0
Masters.			
To the first 100 on the list (being qualified for first or second rates)	0	7	0
To the next 200 (being qualified for third or fourth rates)	0	6	0
The remainder, having served five years in the Navy, two of which as Acting or Second Master, or as Master's Mate or Midshipman	0	5	0
Medical Officers.			
Medical Inspectors of Hospitals and Fleets	0	15	0
After 10 years' service as such	1	1	0
Physicians—After ten years' service	1	1	0
Three years	0	15	0
Under that time	0	10	6
Deputy Medical Inspectors of Hospitals and Fleets from date of promotion, unless entitled to a higher rate by previous service	0	13	0
If above 30 years' service	0	15	0
Surgeons.			
Surgeons	0	5	0
Above 6 years' service	0	6	0
,, 10 ditto	0	7	0
,, 15 ditto	0	8	0
,, 20 ditto	0	10	0
,, 25 ditto, (with leave to retire)	0	13	0
,, 30 ditto, (with leave to retire)	0	15	0

Rates of Half Pay, &c.—continued.

Assistant Surgeons.	Per Diem £.	s.	d.
Assistant Surgeons	0	2	0
Above 3 years' service	0	3	0
,, 10 ditto	0	4	6
,, 20 ditto	0	5	0
Dispensers	0	5	0

All Medical Officers below the rank of Deputy Medical Inspector who may hereafter be appointed to Hospitals, and who may be superseded, or retire therefrom, shall, according to their respective ranks, receive the rate of Half-pay to which they may be entitled according to length of service, all time included.

Paymasters and Pursers. (Order in Council, June 10, 1843.)			
On the retired list	0	8	6
To each of the first 70 (to be reduced to 50)	0	7	0
To each of the next 100	0	6	0
To the remainder	0	5	0
Chaplains.			
After eight years' service at sea	0	5	0
For each year's longer service than eight at sea, 6*d.* per diem additional till it reach	0	10	0

Chaplains and Naval Instructors.

After 15 years' service, one-half of the highest rate of half-pay of Naval Instructors, in addition to the half-pay to which they may be entitled as Chaplains.

Naval Instructors.

After their first entry, 2*s.* a day; after three years' service on full pay, 3*s.*; after ten years, 4*s.* 6*d.*; after twenty years, 5*s.*

Payable Quarterly.

Secretaries.

After 12 years' actual service as Secretaries, 12*s.*

Mates.

Two shillings and sixpence a day after three years' actual sea service as Mates, and when unable to obtain employment in Her Majesty's service, provided their conduct during service shall have been satisfactory, and provided they do not decline or avoid service when called upon.

The Lords Commissioners of the Admiralty are empowered to allow any Mate to retire from the service, with a pension of 2*l.* 6*d.* a day after twenty years' actual service, during ten years of which he must have held the rating of Mate.

The number of the officers who participated in this Half-pay, and the gross sums assigned to each class in 1846-47, were as under:—

Description.	Number.	Gross Half-pay. £.	s.	d.
Commissioned Officers, Masters, Mates, and Chaplains	3,360	506,729	0	0
Medical Officers	453	49,621	15	0
Secretaries	4	876	0	0
Paymasters and Pursers	322	32,357	5	0
Naval Instructors	7	346	15	0
Marine Officers	330	26,757	10	10
Retired Naval Officers	466	68,916	11	3
Retired Marine Officers	84	19,843	2	11
Totals	5,026	705,448	0	0

The widows of officers, &c., are entitled to the following pensions:—

Widows of—	Per Annum. £.
Flag Officers of Her Majesty's Fleet	120
Captains of three years' standing	90
Captains under three years' standing	80
Captains (retired under Order in Council, 10th August, 1840)	75
Commanders	70
Commanders (retired under Order in Council of 1816)	60
Commanders (retired under Order in Council of 1830)	50
Medical Inspectors of Hospitals and Fleets	60
Secretaries to Commanders in Chief	50
Deputy Medical Inspectors of Hospitals and Fleets	50
Lieutenants	50
Masters	50
Chaplains	40
Secretaries to Junior Flag Officers and Commodores	40
Surgeons	40
Paymasters and Pursers	40
Naval Instructors	40
Assistant Surgeons	36

Widows of officers of the Royal Marines are entitled to the following pensions:—

Widow of a—	Per Annum. £.
General Officer	120
Colonel	90
Lieutenant-Colonel	80
Major	70
Captain	50
First Lieutenant	40
Second Lieutenant	36

The widows of Boatswains, Gunners, and Carpenters, of the Royal Navy, and Masters of naval vessels, appointed prior to the 30th of June, 1820, will, if otherwise qualified, be entitled to a pension of 25*l.*; but the widows of the above warrant officers, and the widows of Engineers who shall have been warranted subsequently to the 30th June, 1830, are not entitled to pensions unless their husbands shall have suffered a violent death, and provided they shall be otherwise entitled to the same, in which case the following pensions will be allowed:—

To the widow of a Gunner, Boatswain, Carpenter, or Engineer, whose husband shall have been killed in action, a pension of 35*l* a year.

To the widow of any of the above-named warrant officers, whose husband shall have been drowned on duty, or suffered a violent death in an immediate act of duty, a pension of 30*l.* a year.

Half-pay and Pensions of Petty Officers and Men.—None but the officers mentioned above are entitled to half pay. Boatswains, gunners, carpenters, &c., on their ships being paid off, are put on what is called "ordinary pay," which is about two-thirds of sea pay. In the navy, as in the army, provision has been made for such seamen and marines as have been disabled in service. Thus all petty officers, and all seamen and marines discharged the service for wounds received *in action*, are entitled to annual pensions, varying according to the rank of the party and the severity of the wound. Able seamen and marines discharged under 14 years' service, in consequence of sickness or disability contracted in the service, are not, of right, entitled to pensions; but such may be awarded them, should the Admiralty think it expedient. Able seamen and marines who have served at least 14 years, and are discharged in consequence of sickness or disability contracted in the service, or for accidental hurts or wounds received in it, are entitled, if they be otherwise deserving objects of relief, to certain pensions; and pensions are also given to all seamen and marines discharged after 21 years' service *for any cause* other than misconduct.

N. B.—The conditions under which these pensions are granted, and their amounts, are set forth in an order in council, dated 24th of August, 1831, which may be seen in the Navy List.

Pensioners are divided into the two great classes of *in* and *out* pensioners of Greenwich Hospital. This magnificent building, formerly a royal palace, was appropriated in the reign of William III. to its present purpose of serving as an asylum for seamen "who, by age, wounds, or other accidents," have become unfit for further service. The building has since been greatly enlarged and improved; and is now the finest, in an architectural point of view, in the neighbourhood of the metropolis. The *in*-pensioners live in the hospital; the revenues of which are derived from various sources, but principally from the forfeited estates of the Earl of Derwentwater, and from a contribution

of 6*d.* a month deducted from the pay of all seamen employed in her Majesty's service. Merchant seamen were obliged, until lately, to make a similar contribution; but this having been much objected to, has been given up. The number of in-pensioners on the establishment amounted, in 1830, to 2,710, and has not, we believe, materially varied in the interval. The revenue of the hospital being all required for the support of the establishment and of the in-pensioners, the out-pensioners are provided for by an annual parliamentary grant. This amounted, in 1846-47, to 205,500*l.*; and supposing that each pensioner receives, at an average, 11*l.* a-year, this would give a total of nearly 19,000*l.*

Health of Seamen.—The most laudable attention is paid in the navy, not to the discipline merely, but also to the health and comfort, of the men. They are liberally supplied with provisions and grog; and are much less exposed to fatigue, privations, and the risk of ship-wreck, than the crews of merchant ships. Formerly the crews of all ships bound on long voyages, or which could not be regularly supplied with fresh provisions, were liable to suffer dreadfully from the scurvy. But this disease can no longer be said to exist in the navy. That the use of citric acid or lemon-juice was a specific against the attacks of this disease, had been ascertained so early as 1600; but the experiment made little impression at the time, and was forgotten till public attention was again called to it, in 1757, by the justly celebrated Dr. Lind. At length, after successive experiments had demonstrated its efficacy, it was ordered, in 1795, that no ship should be allowed to sail on a long voyage without an ample supply of lemon juice, an allowance of which is regularly served out to the men. Since this period, scurvy may be said to be almost banished from the list of diseases incident to seafaring men. In proof of the efficacy of this specific, we may mention that during the blockade of Brest by Lord St. Vincent, from the 27th of May to the 26th of December, 1800, only 16 out of the 16,000 men in the fleet under his lordship's command were sent to the hospital during this whole period, though they had only ordinary ships' provisions.—(Art. NAVY, *Supp. to Ency. Britannica.*)

"From the official returns," says Sir John Barrow, "collected by Sir Gilbert Blane, M. Dupin, a French author, well versed in naval subjects, has drawn out the following table, which exhibits, at one view, the progressive diminution of sickness, death, and desertion, in the British navy, calculated on 100,000 men:—

Years.	Sent Sick to Hospital.	Deaths.	Desertions.
1779	40,815	2,654	1,424
1782	31,617	2,222	993
1794	25,027	1,164	662
1804	11,978	1,606	214
1813	9,336	698	10

"Hence it would appear that the diminution of sick and of deaths has been in the proportion of 4 to 1 nearly, between the years 1779 and 1813. The diminution of desertions from the hospital in the same

period is not less remarkable; and it affords, at the same time, the strongest proof of the progressive amelioration of the condition of seamen on board British ships of war. Indeed, whether on board ship, or in any of these noble institutions, the naval hospitals, which are established at all the principal ports at home, and in the colonies abroad, the attention that is paid to the sick sailor is above all praise. The seamen are sensible of this, and nothing keeps them back from volunteering their services, and from giving a preference to a king's ship over a merchantman, but the temptation of high wages offered by the latter in time of war, and that love of liberty and free scope for roving which are characteristic of seamen."—(Art. NAVY, *Supp. to Ency. Britannica.*)

CHAPTER IV.—CRIMES, PUNISHMENTS, AND PRISONS.

I. *Crimes and Punishments.*—By crimes are meant, taking the phrase in its widest legal meaning, such violations of any existing law or rule of conduct, as are punishable by the infliction either of corporal or other penalties. But such breaches of the law as are punishable by a pecuniary penalty, recoverable on summary conviction by a justice of the peace or police magistrate, are usually termed offences; while those graver breaches of the law which are made the subject of an indictment, and prosecuted before a jury, are designated crimes. And of these there are two degrees, *misdemeanors* and *felonies;* the former being punishable at common law by fine or imprisonment, or both.

Felony, which is a term of extensive use in the English criminal law, is defined by Blackstone to be "An offence which occasions a total forfeiture of either lands or goods, or both, at common law; and to which capital or other punishments may be superadded according to the degree of guilt" (iv. 95). It consequently is employed to designate a very wide range of offences; embracing all those, such as murders, petit-treasons, sodomy, &c., that are at present punished capitally; with rape, arson, manslaughter, piracy, larceny and other crimes, which, though of a very grave character, are no longer punishable by death.

The term felony, though involved in a good deal of obscurity, seems to be of feudal origin, and to have originally signified the act or offence by which an estate or fief was forfeited and escheated to the lord. And hence we may easily trace the reason why, upon the introduction of the feudal law into England, those crimes which induced such forfeiture or escheat of lands, (and by a small difference from the original sense, such as also induced the forfeiture of goods,) were denominated felonies. Thus it was said that suicide, robbery, and rape, were felonies; *i. e.* the consequence of such crimes was forfeiture, till by long use we began to signify by the term felony the actual crime committed, and not the penal consequences. (*Blackstone*, iv. 97.).

Blackstone divides offences against the laws of England into five classes. 1. Those which affect God and religion; 2. Such as violate or transgress the law of nations; 3. Such as more especially affect the

sovereign power of the state, or the king and his government; 4. Such as more directly infringe the rights of the public; and, 5, Such as infringe the rights of private individuals.

1. The offences in the first class are now but few. In the progress of civilisation, attempts to enforce systems and rules of faith by penal statutes have been gradually disused, and an almost universal toleration, or rather freedom, exists as to religious matters. Blasphemy, however, or the denying the being or providence of the Almighty, as well as profane scoffing at the Holy Scriptures by exposing them to contempt and ridicule, continue to be offences punishable by fine and imprisonment, as is the reviling the ordinances of the established Church. Simony, or the corrupt presentation of any one to an ecclesiastical benefice for gift or reward, Sabbath-breaking, drunkenness, &c., also rank among offences of this class.

2. Offences against the law of nations, so far as they are recognised by the English law, are, (1.) Violations of safe conducts; (2.) The infringement of the rights of ambassadors; and, (3.) Piracy. The first two offences are of such rare occurrence, that it is unnecessary to notice them. Piracy, if committed by a subject, was held by the common law to be a species of treason, as being contrary to his natural allegiance; and if committed by an alien, felony; but, by the statute of treason, 25 Edw. III. c. 2, it was made felony in the case of a subject. Formerly this offence was cognisable by the Admiralty Court; but as it proceeds by the rules of the civil law without the intervention of a jury, the trial of piratical offences has been transferred to the ordinary criminal courts.

The offence of piracy consists at common law in committing those acts of robbery and depredation on the high seas which, if committed upon land, would amount to felony. By statute, some other offences are made piracy also, as by 11 & 12 Will. III. c. 7, 8 Geo. I. c. 24, and the 18 Geo. II. c. 30, any natural-born subject or denizen, who in time of war shall commit hostilities at sea against any of his fellow subjects, or assist any enemy on that element, any commander or other seafaring person betraying his trust and running away with any ship, ordnance, ammunition, &c., or delivering them to a pirate, or aiding and abetting those who do, or trading with known pirates, or in anywise confederating or corresponding with them, is liable to be classed with pirates, and convicted as such; and more recently, British subjects assisting in the conveying away of persons to be dealt with as slaves, are to be deemed guilty of piracy, felony, and robbery. The punishments to be inflicted on this description of criminals have been regulated and defined by the 1 Vict. c. 88.

3. The next species of crime consists of those which affect the supreme executive power, or the king and his government. These may be distinguished into three kinds. (1.) Treason; (2.) Felonies injurious to the king's prerogative; and, (3.) Other misprisions and contempts not amounting to treason. The offence of treason, as defined by 25 Edw. III. stat. 15, extends not merely to the compassing the death of the king, but also of his queen, or their eldest son and heir; the violating the king's consort, or the king's eldest daughter unmarried, or the consort of the king's eldest son and heir; the levying

war against the king in his realm, or being adherent to the king's enemies in his realm, or giving them aid. The Act further declares it to be treason for a man to counterfeit the king's great or privy seal, or his money, or to bring false money into the realm, as also to slay the chancellor, or the king's justices, being in their places, or doing their offices. Many other offences have since been made treason by various statutes. These are principally such as are directed against maintaining the Papal jurisdiction in this realm; falsifying the coin, or royal signatures; and such as are created for the security of the Protestant succession in the House of Hanover. The punishment for this offence is capital; and may, by the 54th Geo. III. c. 146, be carried into execution at the option of the Crown, either by hanging or beheading.

The second species of crimes of this class, or of felonies injurious to the king's prerogative, comprises offences relating to the coin not amounting to treason; offences against the king's council; the offence of serving a foreign prince; of embezzling or destroying the king's armour, or stores of war; and of deserting from the king's armies in time of war. Felonies originally comprised, as the reader has already seen, all crimes punishable by forfeiture, and were for the most part capital. But the number of capital felonies has, of late years, been much reduced.

The third species of offences, more immediately against the king and government, are entitled misprisions and contempts.

Misprisions (a term derived from the old French, *mespris*, a neglect or contempt) are, in the acceptation of our law, generally understood to be all such high offences as approach to, but are under, the degree of capital. They are generally divided into two sorts; negative, which consist in the concealment of something which ought to be revealed; and positive, which consist in the commission of something which ought not to be done.

Of the first kind are misprisions of treason or felony; the punishment for the first of which is loss of the profits of lands during life, forfeiture of goods, and imprisonment for life. The punishment of the latter is, in a public officer, imprisonment for a year and a day; in a common person, imprisonment for a less period; and in both, fine and ransom at the king's pleasure.

Misprisions which are positive are generally denominated contempts or high misdemeanors: among these are to be classed all such high state offences as are usually made the subject of impeachment, and of which the punishment falls short of death. Disobeying the king's writ or summons, speaking or writing against the king's person or government, or doing anything that may lessen him in the esteem of his subjects; the denying his right to the crown, &c., are offences of this class, and punishable by fine and imprisonment. Striking in the king's palace and courts of justice is also a high contempt; and is, in the latter case, punishable by fine and imprisonment. This offence also includes injurious treatment of such as are under the protection of a court of justice, which is punishable in the like manner.

In consequence of the repeated attempts that had been made, probably by insane parties, to fire at Her Majesty, it has been enacted by

the 5 & 6 Vict. c. 51, that any person presenting any gun or other instrument, whether containing explosive materials or not, or who shall produce any arms or dangerous materials near Her Majesty, with intent to injure or alarm her, shall be guilty of a high misdemeanor, and may be transported for seven years, or imprisoned for not more than three years, and whipped not more than three times.

4. The next class of offences includes those which infringe the rights of the public. The principal of these are offences against public justice, public peace, public trade, public health, and the public police or economy. Offences against public justice are the embezzling, vacating, or falsifying the records in a court of justice, which are felonies; obstructing executions of process, aiding a prisoner in effecting his escape, receiving stolen goods, stirring up quarrels, compounding informations, conspiracies, perjuries, &c., which in general are punishable by fine and imprisonment, and in some cases by transportation.

Offences against the public peace are principally riots, unlawful assemblies, affrays, riding or going armed to the terror of His Majesty's subjects, challenges, libels, &c., which, like the former, are punishable by fine and imprisonment; some offences of this class, indeed, as the riotous assembly of twelve persons or more, and not dispersing upon proclamation, sending threatening letters, demanding money, or threatening to kill any of His Majesty's subjects, pulling down or destroying any locks, sluices, or flood-gates, erected by authority of parliament on a navigable river, destroying any turnpike gates, &c., are made felonies by Act of Parliament; and in some cases are capital, but in general are punishable by transportation.

Of offences against public trade, the principal is smuggling, which, unless force be resorted to, is punishable by fine, and the forfeiture of the goods; but all forcible acts of smuggling are punishable by transportation or imprisonment (8 and 9 Vict. c. 8). The other offences of this class are in general misdemeanors only, and punishable as such by fine and imprisonment. The principal are frauds of various kinds. The offences, if so we may call them, of forestalling and engrossing, were formerly prohibited by several statutes under severe penalties. These, however, were repealed in 1772. But the offences still continue to be punishable at common law. The last conviction on a charge of this sort took place during the scarcity of 1800; and it is difficult to suppose that any jury would now be found to convict any one accused of such practices. The last class of the offences we are now speaking of, consists of those against the public health, and the public peace or economy. Under this head may be ranked the infringement of quarantine regulations, selling unwholesome provisions, common nuisances, such as obstructing highways, keeping disorderly houses, &c., most of which offences are punishable by fine, and in some sureties are required to be given that the offence shall not be repeated.

5. The last class of offences are those which affect the rights of private individuals, being principally directed against their persons, their habitations, and their property. Of the crimes injurious to their persons, the highest is murder, or the unlawfully killing any reasonable

creature with malice aforethought. In all civilised countries it is punishable by death. Mayhem,* rape, forcible abduction, and unnatural crimes used, also, to be punished capitally; but with the exception of the latter, these crimes are now punishable only by transportation and imprisonment. The change, however, is one of which the policy, especially in the case of rape, is extremely doubtful. The inferior offences of this class are manslaughter, homicide, assault, battery, wounding, false imprisonment, and kidnapping; which, for the most part, are punishable by fine and imprisonment.

The offences which more immediately affect the habitations of individuals are arson and burglary. The first consists in maliciously setting fire to a dwelling-house, or to any out-houses connected with one, though not parcel thereof, as stables, barns, &c. This crime, we are sorry to say, has increased very much of late years. It has principally prevailed in the agricultural districts, especially in the south of England; and seems to have grown out of a hostile state of feeling between the farmers and labourers, occasioned partly, and principally, perhaps, in the abuses that have originated in the mal-administration of parochial affairs, and of the poor laws. But to whatever causes it may be owing, it is a crime of the most dangerous character, being very difficult to guard against, involving frequently the extensive destruction, not merely of property but of life, and, consequently, affording the greatest scope for the gratification of the malignant propensities. The removal of the causes in which it appears to have originated, and the diffusion of really useful education among the rural population, are the only means, perhaps, to be looked to for the complete eradication of this detestable crime. In the mean time it is properly punished with great severity, on the principle laid down by Cicero, that *ea sunt animadvertenda peccata maxime, quæ difficillime præcaventur.* (*Oratio pro Sexto Roscio*, § 40.) The Act 1 Vict. c. 89, makes the malicious setting on fire of any dwelling-house, any person being therein, a felony, punishable by death; and the malicious setting on fire of offices, shops, ricks, &c., is a felony, punishable at the discretion of the court, by transportation for life, or for not less than fifteen years, or by imprisonment for any term not exceeding three years.

Burglary (called in Scotland *hame sucken*, as it anciently was in England) consists in breaking forcibly into a dwelling-house in the night, with intent to steal. At common law it is a capital offence; but, unless violence be used, the punishment is transportation or imprisonment. (1 Vict. c. 86.)

The remaining species of offences of this class are those more immediately affecting private property. These are, larceny, malicious mischief, and forgery. The first, indeed, constitutes by far the greater proportion of offences at the present day. Offences attended with personal violence are always found to diminish as civilisation advances. The commissioners appointed to inquire into the state of the police of the metropolis, in their report made in 1819, state, that from returns

* Mayhem is the violently depriving another of such of his members as may render him the less able in fighting, either to defend himself or to annoy his enemy. —(*Blackstone*, book iv., cap. 15.)

laid before them, it appeared that in the thirty years from 1755 to 1784, the whole number of convictions for murder in London and Middlesex amounted to 71. In the thirty years between 1784 and 1814, to 60. In the years 1815, 1816, and 1817, they amounted to 9; and in the three years immediately preceding 1814, to 14; and it is material to observe that the diminution is a good deal greater than appears from this statement, inasmuch as the population of the metropolis about doubled in the interval between 1755 and 1817. The offence of larceny is of two kinds: (1.) Simple larceny; and, (2.) Mixed or compound larceny. Simple larceny is plain theft, unaccompanied by any other atrocious circumstance. The latter includes in it the aggravation of taking from the house or person. Formerly this offence was designated either grand or petit larceny, according to the value of the thing stolen; the former being the technical description, if the value exceeded, 12*d.*; the latter, where it did not amount to that sum. But the statute 7 & 8 Geo. IV. c. 29, has abolished the distinction between the two; and every larceny, whatever be the value of the property stolen, is made subject to the same incidents as grand larceny. By the ancient Saxon law, theft was nominally punished with death, where the property stolen was above the value of 12*d.*; the criminal being permitted to redeem his life by a pecuniary ransom. "In the 9th Hen. I. this power of redemption was taken away, and all persons guilty of larceny above 12*d.* were directed to be hanged; and grand larceny, or stealing above 12*d.*, continued, notwithstanding the representations of many learned and able men against such severity, to be liable to the punishment of death until the passing of the statute now mentioned. It abolished the distinction between the two sorts of larceny, making every theft, whatever might be the value of the property stolen, (except as otherwise provided by the Act,) punishable by transportation for not less than seven years, or by imprisonment, with hard labour and solitary confinement, for any length of time not exceeding two years; and in the case of a male, to being once, twice, or thrice, publicly whipped in addition to such imprisonment. (See also the Act 7 Will. IV., and 1 Vict. c. 90.) Persons convicted of misdemeanors punishable under the Act may be sentenced to imprisonment and hard labour in the common gaol, or house of correction, and may also, if thought proper, be kept in solitary confinement. Mixed, or compound larceny, is by the same Act made liable to transportation for life, or for a term of years not less than seven, at the discretion of the court.

Robbery, *i. e.*, the forcibly taking away of property from the person of another, if accompanied by cutting or wounding, is a capital offence (7 Will. IV. and 1 Vict., cap. 87); if accompanied with violence merely, it is punishable by transportation or imprisonment; as are assaults with intent to rob, or the demanding money or property of any sort, if the demand be accompanied by threats or menaces.

Malicious mischief may be very shortly noticed. It consists in wantonly damaging another person's property, as arson does the setting another person's dwelling-house on fire, and is punishable under various statutes according to the nature of the offence, generally by transportation or imprisonment.

The remaining offence of this class is forgery, which *Blackstone*

defines to be "the fraudulent making or alteration of a writing to the prejudice of another man's right." At common law this offence was punishable by fine, imprisonment, and the pillory; but by statutes passed at various times, and in particular since the Revolution (when paper credit was first established), forgeries were in general made subject to capital punishment, and so continued until the passing of the Act already alluded to, the 7 and 8 Geo. IV., and the 2 and 3 Will. IV., which substituted transportation for life, or years, in all cases, with the exception of forgeries of wills and powers of attorney for the transfer, or to receive the dividends, of any public stock, which offences continued to be punishable by death. But the 1st Victoria, cap. 84, abolished the punishment of death for the forgery of wills, and powers of attorney to transfer stock, or receive dividends; the substitutes being transportation for life, or for any term not less than seven years, or imprisonment, with or without hard labour, for a term not exceeding four years, nor less than two.

Offences under the game laws have long formed, and still continue to form, a very large, and also an increasing class. *Blackstone* deduces the origin of the game laws from the forest laws. Both these codes, he says, "were founded upon the same unwarrantable notions of permanent property in wild creatures; and both were productive of the same tyranny to the commons: but with this difference, that the forest laws established only one mighty hunter throughout the land, whereas the game laws have raised a little Nimrod in every manor." (IV. 416.) This, however, is a subject with which it is more difficult to deal than the learned commentator would seem to have supposed. Down to a late period none but qualified persons, that is, persons who had a heritable landed estate of the value of 100*l.* a-year, or an estate for life, or for 99 years and upwards, of 150*l.* a-year, were entitled to take or kill game; meaning thereby, hares, partridges, pheasants, grouse, heath or moor game, black game, and bustards; and, in some respects, snipes, woodcocks, quails, landrails, and conies. But this oppressive restriction was repealed by the Act 1 and 2 Will. IV., c. 32, which vests the right to kill game in the owners of land, or those who have their permission, provided they take out a game licence from the Board of Stamps and Taxes. We confess we do not see on what grounds the principle of this Act can be fairly objected to. It is true that there always will be in the public estimation a wide difference between the offence of clandestinely killing game, or animals *ferœ naturæ*, and killing such as are domesticated. A particular partridge or hare cannot be discriminated from other partridges or hares; and it may, by a volition of its own, enter the estates of 10 or 20 different landlords, and, consequently, may belong to each of them in the course of a single day. And such being the case, it is impossible that any one of these landlords can have that perfect and equitable right of property in the animal he would have possessed had it been susceptible of identification, and been reared by his care and at his expense, and confined within his estate. It is, in consequence, quite idle, do what you will, to expect to make the public view the practice of poaching, or the unlawful taking of game, as involving any considerable degree of criminality. It is, in fact, all but universally looked upon in nearly

the same light as smuggling, that is, as the result of arbitrary and oppressive laws; being, when unaccompanied with violence, deemed a mere venial offence; and hence its diffusion.

On the other hand, however, it is not to be endured that individuals, whether armed or not, should be allowed to enter, without let or hindrance, on the estates of others in search of game or of anything else. The admission of any such principle would subvert the right of property, and be productive of the most calamitous results. There may, however, be an abuse as well as a fair and justifiable exercise of this right; and those landlords who are "strict game preservers," appear to us to be chargeable with such abuse. By filling their estates or preserves with animals *feræ naturæ*, which are in great request, and which the public do not regard in the same light as other property, but as rightfully belonging to the captor, they create an overwhelming temptation to the commission of offences against the game laws; and are substantially and truly responsible for nine-tenths of the mischief and misery they occasion. Estates or preserves swarming with game are neither more nor less than public nuisances that ought to be abated. And this might be easily done by imposing such a rate of duty on game-keepers and others employed to preserve game as would make them too expensive to be kept by any but the most opulent individuals. With the decline in the quantity of game, or, which is the same thing, in the temptation to engage in poaching, the offence, and all the bad consequences inseparable from it, would proportionally diminish.

The great number of crimes, which it will be seen from the preceding statements were subject to capital punishment, long rendered the English law obnoxious to the charge of being sanguinary. But, though formally recorded, the punishment of death was, in comparatively few instances, carried into execution; the royal mercy being in the majority of cases extended, at the suggestion of the judge who presided at the trial, to the criminal, whose sentence was commuted to transportation, or some less serious penalty. Still, however, the infliction of capital punishments was much more frequent than was suitable to the spirit of the age; and the system was besides liable to many objections. It made the description of punishment by which offences were visited a matter of lottery rather than of anything else, some being punished with disproportionate severity, while others escaped with a comparatively slight visitation. This uncertainty had a most unfavourable operation. Criminals, calculating upon the chances of getting off, even if convicted, with some mitigated punishment, were less indisposed to commit an offence than if the statutory penalty for it had been milder and more rigidly enforced. Inasmuch, too, as individuals were every now and then left for execution for offences which, in the public estimation, did not deserve so severe a punishment, injured parties were not unfrequently disinclined to prosecute, and witnesses to give evidence; and juries sometimes went so far, in convicting for theft, as to find the culprit guilty only of stealing property below the value which enforced a capital punishment, though in point of fact, its real value might be a hundred or a thousand times that amount!

Perhaps, however, nothing did so much to excite the public feeling

on the subject of capital punishments as the frequency of executions for forgery. After the country had become so very commercial, and especially after the almost universal substitution of bank notes for coins that grew out of the restriction on cash payments in 1797, the temptations to commit forgery were very greatly increased, and the crime became, in consequence, comparatively frequent. But, as it was justly reckoned an offence of a very serious description in a commercial country, it was punished with corresponding severity; so that few of those convicted of the crime escaped, except under very peculiar circumstances, from undergoing the extreme penalty of the law. But this severity, and the number of executions to which it led, revolted, in the end, the feelings of the people. This led, in the first place, to a strong desire for the resumption of cash payments, and for the suppression of the 1*l.* notes of the Bank of England, the forgery of which was most frequent. But though these measures, which were begun in 1821 and soon after completed, materially diminished the opportunities for, and the frequency of, forgery, it still continued to be far from uncommon; and the public being disgusted with the executions consequent upon it, the legislature resolved, as previously stated, to try the effect of a milder punishment.

Mr. Justice Blackstone, Sir Samuel Romilly, Sir James Mackintosh, and others, have honourably distinguished themselves by their efforts to make the criminal law more in harmony with the spirit of the age, and better suited to effect its purpose, by rendering it less bloody and less capricious. In consequence of their efforts various capital punishments were repealed; but it was not till the subject was taken up by Sir Robert Peel, when Secretary of State for the Home Department, that any very comprehensive reform was effected. Under his auspices, however, the statute previously alluded to of the 7 and 8 Geo. IV. was passed, which greatly diminished the number of capital offences; and the example thus set has since been vigorously followed up, and carried, perhaps, in some departments, to a greater length than is consistent with the safety of the public.

The *secondary punishments* which exist in this country are, for the most part, as our readers know, transportation, fine, and imprisonment. The colonies to which convicts are sent are New South Wales, Van Diemen's Land, and the Bermudas. In the first instance, convicts, destined for the colonies, are usually sent to the hulks, which lie at most of the naval arsenals, where they are employed on the public works in the dock-yards. Thence they are forwarded to their ultimate destination as occasion requires. In the colonies the convicts are subjected to different regulations, some being sent to what are called penal settlements, while the greater number are retained in the service of government, and distributed among the settlers. Their treatment is, in all cases, as far as practicable, proportioned to the nature of their offences, and to their conduct in the colony. At the expiration of their sentence, they may either return to this country, or remain in the colony. If they choose the latter alternative, they get a portion of land and a supply of tools. Very different opinions are entertained with respect to the effect of the discipline to which convicts in the colonies are subjected. In so far, however, as the grand object of

deterring others by the fear of punishment from the commission of offences (*ut pœna ad paucos, metus ad omnes perveniat.*—Cicero pro Cluentio), may be supposed to be involved in this question, we incline to think that transportation is of all punishments the least effectual. This is a case in which the maxim *de non apparentibus et de non existentibus eadem est ratio* is strictly applicable. A punishment that is to be carried into effect at the Antipodes is too remote, and its infliction depends, in the belief of every one, on too many contingent circumstances, to have any sensible influence. Were offenders, who are to be transported, subjected to some degrading penalty, such as public whipping, before leaving England, the case might be different; but as it is, banishment has little or no effect in deterring from crime.

Returns of Crimes.—We have subjoined the official returns of the various offences committed for some years past, which will give some idea of the state of crime in the country. In many respects, however, these returns are not what could be wished for. Their arrangement, considered in a scientific point of view, has been much, and, we think, justly objected to. The object in making a table of offences should, as much as possible, be directed to the grouping or bringing together under the same head, of those that spring from the same motives, or from the indulgence of the same passion; inasmuch as the hopes of repressing crime must depend principally on the means of obviating or counteracting the causes in which it originates: but, in the tables below, this distinction is very imperfectly attended to. The most discordant crimes, to give only one example, are classed together under the first head, or that of "offences against the person." Premeditated murder, to gratify a malignant disposition, or to acquire property, murder committed in a sudden fit of anger, occasioned by some gross provocation, rapes with or without murder, assaults on peace-officers employed to quell a riotous assembly, or to detect or prevent some smuggling transactions, attempts to procure abortion, bigamy, child-stealing, and so forth, are all huddled together under this head, though the character of the crimes, and the motives which led to them, be as different as it is possible to imagine. The same is the case with the other divisions. The classification has been made to depend, in every instance, too much on the crime abstractly considered, or on the mode in which the vicious propensity was indulged, and too little on the circumstances in which it arose, or on the nature of the propensity that led to it. No doubt it is easier to point out a defect than to suggest a remedy; but the importance of the subject, and the countenance which the present classification gives to erroneous reasoning and to bad or defective systems of criminal legislation, require that no means should be left untried to have offences classified on some more correct principle.

A most important return in the statistics of crime would be one showing the number of each class of offences committed, with the number of instances in which detection and punishment followed. In the country it might be difficult to procure a return of this sort; but in London, and other great towns, where the police have notice of almost all offences, one should think it might be procured sufficiently exact for most practical purposes.

We may further observe, that many false inferences have been drawn from comparing together returns as to the state of crime in different countries, and in the same country at different periods. Such returns are obviously good for nothing, except to deceive and mislead, unless the classification of offences in the countries and periods compared together were the same, and unless the police and the laws were similar, the former possessing nearly the same vigilance, and the latter being enforced with about the same precision. But it is needless to say that the greatest discrepancy obtains in all these particulars. The classification of offences is not the same in any two countries, and it is perpetually varying even in the same country. The greatest differences are, however, to be found in the state of the police, and the administration of criminal justice in different countries and periods. Were one to compare the returns of committals in a place without a police, with the returns from the same place after a police had been established, or the returns under an inefficient with those under an efficient police, there would, we doubt not, appear to be an extraordinary increase of crime; whereas the fair presumption is, that, instead of being increased, it is not a little diminished. The cause of the excess is obvious. It results entirely from the circumstance that many offences that formerly escaped all public notice have latterly been brought under the cognizance of the tribunals; though it is, at the same time, abundantly certain that this greater vigilance must have materially diminished the real number of offences. Unless, therefore, we are well assured that the classification of crimes, the activity of the police, and the spirit of the tribunals are nearly the same in the countries and æras for which we have returns, little or nothing that is to be depended on can be learned from comparing them together. Much of that extraordinary increase of crime that is said to have taken place in Great Britain within the last twenty years is, there is good reason to think, apparent only, and is mainly occasioned by the bringing of more crimes to light through the superior organisation of the police, and the more rigid enforcement of the law. During the war, and for some years after, the police was comparatively inefficient; and many offences that would now be visited by a pretty severe punishment, were passed over without any public notice, on the offender consenting to enter the army or navy. We do not, however, mean by this to say that there has been no increase of crime since 1815; offences against property have, no doubt, increased during that interval; but we doubt whether their real increase has materially exceeded that of the population; and whether all the excess be not ascribable to the circumstances now alluded to, that is, to the extension and greater vigilance of the police, and the stricter enforcement of the law.

The frequency of crime is, also, materially dependent on the state of the country at the time with respect to employment and subsistence. In years when there is a brisk demand for labour, or when wages are good and provisions low priced and abundant, there is always a considerable decrease of crime; and, conversely, when employment is scarce, wages low, and provisions deficient and dear. It is in the circumstances now specified that we are to seek for an explanation of the very considerable diminution in the number of commitments in 1844 and 1845, compared with those in 1841 and 1842.

I. *Table showing the Total Number of Persons Committed for Trial or Bailed, in each County of England and Wales in* 1845, *with the Result of the Proceedings.*

Counties.	Total Number of Offenders	Convicted.												Insane to be detained.		Acquitted.				Execution of Capital Sentences, or Commutation of Pardon recommended by the Judge.								
			Transportation.				Imprisonment, with, in some Cases, Whipping, Fine, &c.														Commutation.							
																					Transportation.				Imprisonment.			
		Death.	Life.	Above 15 Years.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	Above 3 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Whipping, Fine, and Discharge on Sureties.	Sentence respited and Pardon.	Total.	Found Insane on Arraignment.	Acquitted as being Insane.	Not Guilty on Trial.	No Bill found.	No Prosecution.	Total.	Execution.	Life.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	2 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Free Pardon.
Bedford	155	1	1	..	3	8	7	..	..	4	4	93	..	..	121	..	..	26	8	..	34	..	1	..	..	..	..	..	..	..
Berks	280	1	..	..	1	6	3	..	..	4	28	146	4	..	193	..	1	50	15	1	66	1	..	..	..	..	..	..	..	..
Bucks	236	5	2	..	11	15	11	..	..	..	22	136	3	..	205	..	..	58	23	2	81	1	1	3	..	..	..	..	..	..
Cambridge	239	..	1	2	2	9	10	..	..	4	14	89	8	..	150	..	..	73	14	2	89	..	..	..	..	..	..	..	..	..
Chester	533	..	1	1	18	10	34	..	..	9	73	324	35	..	505	..	..	123	46	9	183	..	..	..	..	..	..	..	..	..
Cornwall	273	1	..	..	2	6	4	..	..	3	14	150	3	..	191	..	..	62	18	1	81	1	..	..	..	..	..	..	..	..
Cumberland	113	1	..	..	..	2	2	..	..	4	6	70	1	..	90	..	..	21	7	..	28	..	..	1	..	..	..	..	..	..
Derby	186	..	..	..	9	7	5	..	..	1	18	86	19	..	145	..	..	35	6	..	41	..	..	..	..	..	..	..	..	..
Devon	720	7	2	..	7	20	51	..	..	6	23	377	2	..	500	..	1	149	60	10	219	..	..	..	..	..	..	..	..	7
Dorset	218	1	1	..	6	6	5	..	..	5	18	86	2	..	120	..	..	60	24	4	88	..	1	..	..	..	..	..	..	..
Durham	208	..	1	..	6	7	12	..	..	4	15	105	1	..	151	1	1	35	11	4	50	..	..	..	..	..	..	..	..	..
Essex	554	..	..	..	9	23	21	..	1	6	46	278	2	..	391	..	..	121	30	5	163	..	..	..	..	..	..	..	..	..
Gloucester (inc. Bristol)	329	1	1	..	2	23	68	..	..	14	55	448	15	..	627	..	..	248	55	4	302	..	..	1	..	..	..	..	..	..
Hereford	226	..	..	1	7	14	6	..	..	2	19	77	4	..	130	..	..	62	30	4	96	..	..	..	..	..	..	..	..	..
Hertford	244	4	..	2	3	7	19	..	..	3	13	91	12	..	152	..	..	56	21	1	85	..	3	1	..	..	..	..	..	..
Huntingdon	88	..	..	1	3	3	..	..	..	..	7	48	4	..	66	..	..	16	2	4	22	..	..	..	..	..	..	..	..	..
Kent	831	..	1	3	16	53	29	..	..	..	16	62	387	4	..	571	2	..	177	56	25	253	..	..	..	..	..	..	..	..	..
Lancaster	2,852	1	10	2	27	162	159	..	..	..	49	176	1,550	37	3	2,186	3	4	503	55	51	649	..	1	..	..	..	..	..	..	..
Leicester	321	..	..	..	4	16	19	..	..	..	2	19	185	2	..	245	1	..	64	18	..	82	..	..	..	..	..	..	..	..	..
Lincoln	389	..	..	..	10	23	26	..	..	..	7	40	193	2	..	301	2	..	62	19	3	84	..	..	..	..	..	..	..	..	..
Middlesex (inc. London)	4,440	6	9	..	31	188	264	..	1	60	271	2,234	136	2	3,222	..	1	911	289	17	1,217	4	2	..	..	..	..	..	..	..
Monmouth	186	..	4	..	10	5	7	..	..	2	20	88	1	..	137	..	..	36	20	3	59	..	..	..	..	..	..	..	..	..
Norfolk	642	2	1	..	6	19	28	..	..	7	43	324	2	..	432	..	1	153	51	5	209	..	2	..	..	..	..	..	..	..
Northampton	302	2	2	..	10	13	11	..	..	3	25	151	2	..	219	..	..	63	19	1	83	..	2	..	..	..	..	..	..	..
Northumberland	187	..	..	..	4	7	14	..	..	4	31	75	1	..	136	..	..	32	11	10	53	..	..	..	..	..	..	..	..	..
Nottingham	267	..	2	..	4	19	13	..	..	..	12	145	4	..	199	..	..	50	16	2	68	..	..	..	..	..	..	..	..	..
Oxford	309	..	2	..	8	17	15	..	..	4	14	149	..	..	209	..	2	66	22	10	98	..	..	..	..	..	..	..	..	..
Rutland	28	..	..	..	5	..	1	..	..	..	1	17	..	..	24	..	..	2	2	..	4	..	..	..	..	..	..	..	..	..
Salop	308	2	..	..	2	9	10	..	..	..	4	15	165	..	..	207	..	..	75	25	1	101	..	1	1	..	..	..	..	..	..
Somerset	673	2	11	1	15	62	20	..	..	20	57	390	5	..	..	622	..	1	165	78	7	250	1	1	..	..	..	..	..	..	..
Southampton	619	..	1	2	10	12	28	..	1	2	47	337	..	..	..	447	..	1	125	41	5	171	..	..	..	..	..	..	..	..	..
Stafford	717	2	1	..	12	46	39	..	..	5	30	334	9	..	..	484	..	1	168	62	2	232	1	1	..	1	..	..	..	..	..
Suffolk	407	1	6	2	13	17	23	..	1	2	21	182	4	..	..	272	1	..	96	30	8	134	..	1	..	1	..	..	..	..	..
Surrey	942	1	4	1	6	56	65	..	..	19	102	446	9	..	..	700	..	1	165	73	3	241	1	1	..	1	..	..	..	..	..
Sussex	409	1	3	..	8	24	17	..	..	10	22	211	6	..	..	302	..	..	72	23	9	106	..	..	..	..	..	..	..	..	..
Warwick	769	2	1	..	15	39	72	..	..	10	59	385	3	..	..	566	1	..	139	35	9	182	1	..	..	1	..	..	..	..	..
Westmoreland	46	..	..	..	..	1	1	..	..	..	2	31	..	..	..	35	..	1	7	3	..	10	..	..	..	..	..	..	..	..	..
Wilts	379	..	2	..	9	15	13	..	..	5	37	206	6	..	..	293	..	..	72	13	1	86	..	..	..	..	..	..	..	..	..
Worcester	563	..	4	..	11	16	23	..	..	9	31	260	..	..	..	354	..	..	134	70	5	209	..	..	..	..	..	..	..	..	..
York	1,417	3	5	2	58	63	81	..	..	19	91	656	42	..	1,030	..	2	231	91	13	335	..	3	..	..	..	..	..	..	..	..
Anglesea	23	..	..	..	..	1	..	..	..	1	..	13	..	..	15	..	..	4	4	..	8	..	..	..	..	..	..	..	..	..	..
Brecon	37	1	..	..	2	3	3	..	..	1	3	13	..	..	26	..	..	8	7	1	11	1	..	..	..	..	..	..	..	..	..
Cardigan	47	..	..	..	1	..	1	..	..	1	2	12	2	..	19	..	..	22	5	1	28	..	1	..	..	..	..	..	..	..	..
Carmarthen	87	1	..	1	1	1	2	..	..	2	1	23	1	..	33	..	..	24	30	1	54	..	..	..	..	..	..	..	..	..	..
Caernarvon	39	..	..	..	4	2	2	..	..	1	1	12	2	..	24	..	..	8	6	1	15	..	..	..	..	..	..	..	..	..	..
Denbigh	66	..	..	..	..	2	3	..	..	2	6	24	..	..	37	1	..	14	9	5	28	..	..	..	..	..	..	..	..	..	..
Flint	62	..	..	..	..	..	2	..	..	1	2	34	..	..	39	..	..	16	7	..	23	..	..	..	..	..	..	..	..	..	..
Glamorgan	159	..	..	..	..	1	2	..	..	4	19	86	3	..	115	..	..	25	18	1	44	..	..	..	..	..	..	..	..	..	..
Merioneth	12	..	..	..	1	..	..	..	..	1	1	3	..	..	6	..	..	4	2	..	6	..	..	..	..	..	..	..	..	..	..
Montgomery	97	..	..	..	2	11	2	..	..	2	2	34	1	..	54	..	..	4	9	..	13	..	..	..	..	..	..	..	..	..	..
Pembroke	66	..	..	..	..	2	5	..	..	..	2	24	..	..	41	..	..	9	15	1	25	..	..	..	..	..	..	..	..	..	..
Radnor	30	..	..	..	..	7	..	..	..	..	..	6	..	..	14	..	..	10	6	..	16	..	..	..	..	..	..	..	..	..	..
Total	24,303	49	79	22	405	1,119	1,273	..	3	320	1,654	12,035	398	5	17,402	12	19	4,062	1,650	249	6,070	12	21	8	1	..	..	..	..	..	7

II. *Table showing the Total Number of Persons Committed for Trial or Bailed, in England and Wales in* 1845, *and the Result of the Proceedings.*

Offences.	Total Number of Offenders.	Convicted.													Insane to be detained.		Acquitted.				Execution of Capital Sentences, or Commutation or Pardon recommended by the Judge.									
			Transportation.					Imprisonment, with, in some Cases, Whipping, Fine, &c.														Commutation.								
																						Transportation.			Imprisonment.					
		Death.	Life.	Above 15 Years.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	Above 3 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Whipping, Fine, and Discharge on Sureties.	Sentence respited and Pardon.	Total.	Found Insane on Arraignment.	Acquitted as being Insane.	Not Guilty on Trial.	No Bill found.	No Prosecution.	Total.	Execution.	Life.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Free Pardon.
No. 1. *Offences against the Person.*																														
Murder	65	19	..	..	..	..	..	..	..	..	..	..	..	..	19	4	5	32	5	..	37	12	..	..	..	..	..	..	..	..	7
Attempts to murder, attended with dangerous bodily injuries	21	4	..	..	..	..	..	..	..	..	..	..	..	..	4	..	..	15	2	..	17	..	2	..	..	..	..	..	..	..	..
Attempts to murder, unattended with bodily injuries	9	..	..	..	1	..	..	..	..	1	1	..	..	..	3	..	..	3	3	..	6	..	..	..	..	..	..	..	..	..	..
Shooting at, stabbing, wounding, &c. with intent to maim, disfigure, &c.	136	..	3	2	22	..	1	..	..	14	15	9	..	..	76	2	2	41	14	1	56	..	..	..	..	..	..	..	..	..	..
Manslaughter	178	..	7	1	..	3	4	..	..	6	6	46	7	..	80	..	..	33	9	1	93	..	..	..	..	..	..	..	..	..	..
Attempts to procure the miscarriage of women	1	..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Concealing the births of infants	53	..	..	..	..	..	..	..	..	4	2	26	..	..	32	..	..	17	3	1	21	..	15	..	..	..	..	..	..	..	..
Sodomy	50	15	..	..	..	..	..	..	..	..	..	..	..	..	15	..	1	23	11	..	34	..	..	..	..	..	..	..	..	..	..
Assaults, with intent to commit sodomy, and other unnatural misdemeanors	51	..	..	..	..	..	..	..	1	14	4	2	..	1	22	..	..	21	7	1	29	..	..	..	..	..	..	..	..	..	..
Rape, and carnally abusing girls under the age of ten years	36	..	28	..	..	..	..	..	..	..	..	..	..	..	28	..	..	37	19	2	53	..	..	..	..	..	..	..	..	..	..
Assaults, with intent to ravish and carnally abuse	123	..	..	..	..	..	..	..	..	23	25	21	1	..	70	..	..	27	22	4	53	..	..	..	..	..	..	..	..	..	..
Carnally abusing girls between the age of ten and twelve years	6	..	..	..	..	..	..	..	..	2	..	1	..	..	3	..	..	3	..	..	3	..	..	..	..	..	..	..	..	..	..
Abduction	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Bigamy	62	..	..	..	..	..	4	..	..	4	14	32	..	..	54	..	..	8	..	..	8	..	..	..	..	..	..	..	..	..	..
Child stealing	4	..	..	..	..	..	1	..	..	27	75	177	125	..	3	..	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..
Assaults	797	..	..	..	..	..	..	..	..	1	21	199	50	..	271	..	1	156	36	..	192	..	..	..	..	..	..	..	..	..	..
Assaults on peace officers in the execution of their duty	329	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	43	2	12	57	..	..	..	..	..	..	..	..	..	..
Total of No. 1	1,966	38	38	3	33	3	10	..	1	96	164	713	185	1	1,225	6	10	510	133	22	665	12	17	2	..	..	..	..	..	..	7
No. 2. *Offences against Property, committed with Violence.*																														
Sacrilege	3	..	..	..	1	1	..	..	..	..	..	..	..	..	2	..	..	..	1	..	1	..	..	..	..	..	..	..	..	..	..
Burglary	412	..	15	9	39	134	..	..	..	16	50	24	..	..	307	..	..	34	18	3	105	..	..	..	..	..	..	..	..	..	..
Burglary, attended with violence to persons	11	3	..	..	..	..	..	..	..	..	..	..	..	..	3	..	..	3	..	..	3	..	4	4	..	..	..	..	..	..	..
Housebreaking	483	..	1	..	27	143	5	..	..	20	74	102	..	..	377	..	..	85	18	3	106	..	..	..	..	..	..	..	..	..	..
Breaking within the curtilage of dwelling houses, and stealing	64	..	..	..	4	9	2	..	..	3	6	17	..	..	41	..	..	17	6	..	23	..	..	..	..	..	..	..	..	..	..
Breaking into shops, warehouses, and counting-houses, and stealing	155	..	..	..	8	43	1	..	..	8	16	43	..	..	124	..	..	28	3	..	31	..	..	..	..	..	..	..	..	..	..
Misdemeanors, with intent to commit the above offences	16	..	..	..	..	..	..	..	..	..	3	10	..	..	13	..	..	3	..	..	3	..	..	..	..	..	..	..	..	..	..

II. *Table showing the Total Number of Persons Committed for Trial or Bailed, &c.*—continued.

Offences.	Total Number of Offenders.	Convicted.														Insane to be detained.		Acquitted.				Execution of Capital Sentences, or Commutation or Pardon recommended by the Judge.											
			Transportation.					Imprisonment, with, in some Cases, Whipping, Fine, &c.					Whipping, Fine, and Discharge on Sureties.	Sentence respited and Pardon.	Total.	Found Insane on Arraignment.	Acquitted as being Insane.	Not Guilty on Trial.	No Bill found.	No Prosecution.	Total.	Execution.	Commutation.										
																							Transportation.			Imprisonment.							
		Death.	Life.	Above 15 Years.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	Above 3 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.											Life.	15 Years and above 10 Years.	10 Years and above 7 Years.	7 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Free Pardon.	
No. 2. *Offences against Property, &c.*—cont.																																	
Robbery	74	..	..	..	5	12	..	..	..	2	7	7	..	..	33	..	..	32	..	..	32	..	..	..	..	..	..	..	..	..	..	..	..	..
Robbery and attempts to rob, by persons armed, in company, &c.	208	..	6	5	91	1	..	..	..	10	20	6	..	..	138	..	..	53	10	2	70	..	..	..	..	..	..	..	..	..	..	..	..	..
Robbery, attended with cutting or wounding	9	2	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	4	2	1	7	..	..	2	..	..	..	..	..	..	..	..	..	..
Obtaining property by threats to accuse of unnatural crimes	1	..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Assaults, with intent to rob, and demanding property with menaces	22	..	..	..	..	..	..	..	2	5	2	..	..	..	9	..	..	12	1	..	13	..	..	..	..	..	..	..	..	..	..	..	..	..
Stealing in dwelling-houses, persons therein being put in fear	1	..	..	..	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sending menacing letters to extort money	5	..	..	..	..	..	..	..	..	..	1	3	..	..	4	..	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Piracy	7	..	..	..	..	..	..	..	..	..	2	4	..	..	6	..	..	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 2	1,471	10	22	14	196	353	8	..	..	61	185	217	..	..	1,066	..	..	327	63	15	405	..	4	6	..	..	..	..	..	..	..	..	..	..
No. 3. *Offences against Property, committed without Violence.*																																	
Cattle stealing	32	..	..	..	..	11	..	..	..	1	9	1	..	..	22	..	2	4	4	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..
Horse stealing	110	..	1	..	6	36	..	..	1	7	15	9	..	..	75	..	2	21	12	..	33	..	..	..	..	..	..	..	..	..	..	..	..	..
Sheep stealing	215	..	1	..	25	91	1	..	1	3	21	13	..	..	161	..	40	12	2	54	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Larceny to the value of £5, in dwelling-houses	179	..	..	..	6	46	2	..	8	..	39	44	..	..	145	..	..	24	10	..	34	..	..	..	..	..	..	..	..	..	..	..	..	..
Larceny, from the person	1,756	..	1	..	13	269	3	..	..	18	163	702	..	..	1,174	1	..	434	173	14	621	..	..	..	..	..	..	..	..	..	..	..	..	..
Larceny, by servants	1,501	..	..	..	2	14	58	..	..	6	124	1,009	2	..	1,215	..	..	221	64	1	286	..	..	..	..	..	..	..	..	..	..	..	..	..
Larceny, simple	13,794	..	5	1	69	231	1,055	..	..	40	621	8,187	42	..	10,260	5	5	2,443	962	119	3,524	..	..	..	..	..	..	..	..	..	..	..	..	..
Stealing from vessels in port, on a river, &c.	113	..	..	..	..	12	4	..	..	1	9	52	..	..	78	..	..	22	13	..	35	..	..	..	..	..	..	..	..	..	..	..	..	..
Stealing goods in process of manufacture	1	..	..	..	..	1	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Stealing fixtures, trees, and shrubs growing, &c.	262	..	..	..	1	14	17	..	..	1	19	153	3	..	208	..	..	41	12	1	54	..	..	..	..	..	..	..	..	..	..	..	..	..
Misdemeanors, with intent to steal	27	..	..	..	..	..	..	..	..	..	3	11	..	..	14	..	..	5	8	..	13	..	..	..	..	..	..	..	..	..	..	..	..	..
Embezzlement	351	..	..	..	1	3	18	..	..	5	39	187	1	..	254	..	..	86	10	1	97	..	..	..	..	..	..	..	..	..	..	..	..	..
Stealing and receiving letters stolen from the Post-Office, by servants	12	..	1	..	1	2	4	..	..	..	1	1	..	..	10	..	..	2	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Receiving stolen goods	617	..	..	..	22	14	27	..	..	16	46	133	..	1	264	..	..	306	39	8	353	..	..	..	..	..	..	..	..	..	..	..	..	..
Frauds, and attempts to defraud	496	..	..	..	..	..	30	..	..	10	39	267	3	..	349	..	..	119	25	3	147	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 3	19,506	..	9	1	146	744	1,224	..	2	125	1,153	10,774	51	1	14,230	6	9	3,768	1,344	149	5,261	..	..	..	..	..	..	..	..	..	..	..	..	..
No. 4. *Malicious Offences against Property.*																																	
Setting fire to a dwelling-house, or shop, persons being therein	3	1	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	1	..	2	..	..	..	1	..	..	..	..	..	..	..	..	..
Setting fire to a house, warehouse, corn-stack, &c.	78	..	5	4	18	..	..	..	..	..	1	2	..	..	30	..	..	20	26	2	48	..	..	..	..	..	..	..	..	..	..	..	..	..
Setting fire to crops, plantations, heath, &c.	12	..	..	..	..	..	..	..	..	..	..	4	..	..	4	..	..	7	1	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..
Attempts to commit arson, set fire to crops, &c.	9	..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	..	5	3	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..

Riot, and feloniously demolishing buildings, machinery, &c.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Destroying silk, woollen, linen, or cotton goods, in process of manufacture	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	1	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Destroying hop-binds, trees, and shrubs growing, &c.	2	..	..	..	..	..	..	..	..	..	..	2	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Killing and maiming cattle	28	..	..	..	..	..	..	..	..	..	4	3	..	..	7	..	..	3	13	..	21	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sending letters threatening to burn houses, &c.	6	..	..	..	..	2	..	..	..	..	..	..	..	..	2	..	..	4	..	..	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Other malicious offences	9	..	..	..	..	..	..	..	..	..	1	3	..	..	4	..	..	2	3	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 4	149	1	5	4	18	2	..	..	..	..	7	14	..	..	51	..	..	48	48	2	98	..	..	..	1	..	..	..	..	..	..	..	..	..	..
No. 5. *Forgery and Offences against the Currency.*																																			
Forging and uttering forged Bank of England notes	2	..	..	..	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Forging and uttering other forged instruments	109	..	5	..	6	6	20	..	..	43	1	..	..	..	81	..	..	23	4	1	28	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Having in possession, &c. forged Bank of England notes	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Counterfeiting the current gold and silver coin	7	..	..	..	1	..	..	..	..	2	..	..	..	..	3	..	..	3	..	1	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Having in possession, &c. implements for coining	12	..	..	..	3	2	2	..	..	..	2	2	..	..	11	..	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Buying and putting off counterfeit gold and silver coin	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Uttering and having in possession ditto	308	..	..	..	..	5	3	..	..	27	101	107	..	..	248	..	..	46	9	10	65	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 5	438	..	5	..	12	13	25	..	..	72	104	109	..	..	340	..	..	73	13	12	98	..	..	..	..	..	..	..	..	..	..	..	..	..	..
No. 6. *Other Offences not included in the above Classes.*																																			
High treason	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Assembling armed, &c. to aid smugglers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Assaulting and obstructing officers employed to prevent smuggling	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Deer stealing, and feloniously resisting deer-keepers	6	..	..	..	..	..	1	..	..	..	2	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Being out armed, &c. to take game by night, taking game by night, and assaulting gamekeepers	95	..	..	..	..	3	3	..	..	3	27	30	1	..	67	..	..	25	..	3	28	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Taking and destroying fish in enclosed water	5	..	..	..	..	..	..	..	..	..	1	4	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Being at large under sentence of transportation	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Prison-breaking, harbouring, and aiding the escape of felons	16	..	..	..	..	1	1	..	..	1	..	6	1	..	10	..	..	4	2	..	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Perjury and subornation of perjury	27	..	..	..	..	..	1	..	..	1	3	3	2	..	10	..	..	15	1	1	17	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Riot, sedition, &c.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Riot, breach of the peace, and pound-breach	363	..	..	..	..	..	..	..	..	..	..	89	92	..	181	..	..	120	37	25	182	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Rescue, and refusing to aid peace-officers	14	..	..	..	..	..	..	..	..	..	..	2	2	..	4	..	..	7	8	..	10	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Keeping disorderly houses	86	..	..	..	..	..	..	..	..	..	4	24	39	..	67	..	..	10	4	5	19	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Indecently exposing the person	5	..	..	..	..	..	..	..	..	1	..	2	..	..	3	..	..	1	1	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Felonies, not included in above denominations	8	..	..	..	..	..	..	..	..	..	..	2	..	..	2	..	..	6	..	..	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Misdemeanors, ditto	147	..	..	..	..	..	..	..	..	..	4	43	25	3	75	..	..	47	10	15	72	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 6	772	..	..	..	..	4	6	..	..	6	41	208	162	3	480	..	..	236	58	49	343	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Grand Total	24,303	49	79	22	405	1,119	1,273	..	3	260	1,654	12,035	398	5	17,402	12	19	4,962	1,659	249	6,870	12	21	8	1	..	..	..	..	..	..	..	..	..	7

III. *Table showing the Age, Sex, and Degree of Instruction of the Total Number of Persons Committed for Trial or Bailed, in each County of England and Wales, in* 1845.

Counties.	Total Number of Offenders.		Aged under 15 Years.		Aged 15 Years and under 20.		Aged 20 Years and under 25.		Aged 25 Years and under 30.		Aged 30 Years and under 40.		Aged 40 Years and under 50.		Aged 50 Years and under 60.		Aged 60 Years and above.		Age could not be ascertained.		Neither read nor write.		Read and write imperfectly.		Read and write well.		Superior Education.		Instruction could not be ascertained.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Bedford	140	15	6	1	27	4	49	5	17	2	13	1	21	1	4	..	2	1	1	..	62	2	76	12	..	..	..	..	..	..	..	1
Berks	218	42	10	6	50	14	37	5	31	8	40	6	18	1	6	2	3	..	1	..	70	9	138	32	8	1	1	..	..	..	4	..
Bucks	261	25	15	1	71	7	66	7	39	2	40	4	18	3	4	1	4	..	4	..	88	7	155	18	12	..	2	..	..	..	4	..
Cambridge	205	34	9	1	39	5	61	11	21	7	33	4	18	3	11	3	9	..	5	..	53	10	139	23	10	1	1	..	5	..	5	..
Chester	549	139	33	8	113	31	125	18	81	23	96	27	45	22	26	8	10	2	20	..	170	60	812	77	43	1	4	1	20	..	1	..
Cornwall	210	62	14	4	31	8	53	17	38	3	32	22	29	5	8	2	4	1	1	..	70	20	125	41	11	..	3	..	1	1	1	1
Cumberland	81	37	3	2	7	5	19	3	17	5	14	11	14	5	1	2	2	1	1	..	11	10	55	22	11	4	..	..	4	1	1	1
Derby	158	28	10	1	32	4	24	7	21	3	32	7	17	4	9	1	3	1	..	..	48	5	106	17	1	..	..	..	3	6	2	..
Devon	536	184	18	9	109	39	137	49	91	29	97	20	51	23	21	9	8	6	4	..	163	48	295	127	61	6	2	1	15	2	..	..
Dorset	185	33	13	3	39	7	43	5	27	7	33	3	15	6	5	1	4	1	6	..	69	14	91	18	16	1	3	..	6	..	..	..
Durham	163	40	9	..	26	6	41	10	20	7	40	7	16	3	7	..	2	2	2	..	53	13	97	26	11	..	..	..	2	..	2	1
Essex	479	75	26	5	132	21	126	22	57	6	78	11	33	5	19	5	4	..	4	..	172	16	280	55	17	4	5	..	5	..	..	..
Gloucester (inc. Bristol)	731	178	71	10	197	49	159	40	90	25	116	30	57	8	34	9	17	3	10	4	128	32	461	132	96	8	6	..	10	6	..	..
Hereford	187	39	6	1	35	8	33	3	33	10	32	4	12	2	6	4	10	3	..	..	76	13	107	21	2	..	..	..	..	..	..	..
Hertford	214	30	12	2	47	9	52	9	22	2	19	1	20	6	12	..	6	..	24	1	78	12	100	16	13	1	..	..	23	1	..	..
Huntingdon	69	19	4	5	14	7	22	5	9	..	13	2	4	..	2	..	..	..	..	..	25	7	41	12	3	..	..	..	..	..	..	..
Kent	660	151	34	5	166	35	172	38	117	23	102	21	50	10	16	11	11	3	12	..	252	49	374	94	38	8	2	..	14	..	..	..
Lancaster	2,154	698	151	34	510	174	493	155	332	104	386	112	150	79	62	29	27	8	43	3	686	337	1278	347	135	10	10	..	45	4	..	..
Leicester	298	30	19	1	84	6	53	9	35	5	43	2	15	1	13	2	5	4	1	..	76	11	162	17	59	2	..	..	1	..	..	..
Lincoln	318	71	13	4	59	16	80	22	60	10	64	11	25	4	5	3	7	..	5	1	98	16	198	52	18	2	..	..	6	1	..	..
Middlesex (inc. London)	3,338	1102	317	35	1034	233	750	287	361	204	435	191	239	123	88	48	36	16	78	15	831	399	1806	637	609	48	5	..	87	18	..	..
Monmouth	155	41	3	3	31	7	37	11	26	8	32	9	14	3	3	..	7	..	2	..	24	10	111	30	18	1	1	..	1	..	..	..
Norfolk	541	101	29	6	139	26	149	23	78	14	67	10	46	13	16	6	10	1	7	..	216	38	255	52	58	10	1	..	11	1	..	..
Northampton	255	47	10	2	48	13	76	15	50	3	44	6	11	3	5	2	4	..	7	3	95	12	140	31	14	1	..	..	6	3	..	..
Northumberland	143	46	11	1	32	6	36	19	23	2	17	7	6	3	7	3	2	2	9	..	25	19	103	27	4	..	2	..	9	..	..	..
Nottingham	225	42	15	3	38	10	61	9	29	12	30	8	16	..	11	..	..	..	5	..	65	14	136	26	19	2	2	..	1	..	..	..
Oxford	265	44	8	..	69	3	63	9	30	5	41	11	24	6	17	..	7	1	6	1	81	12	170	28	8	3	..	..	6	1	..	..
Rutland	25	3	1	..	3	1	7	1	5	..	5	1	2	..	2	..	..	..	..	..	11	1	14	2	..	..	..	..	..	..	..	..
Salop	235	73	21	2	44	18	43	14	36	12	36	10	22	9	17	4	16	3	1	..	82	22	146	48	4	..	..	..	8	3	..	..
Somerset	730	143	41	4	192	35	176	38	95	16	90	25	66	8	30	5	16	7	24	5	252	46	357	83	95	9	..	..	26	5	..	..
Southampton	504	115	56	4	110	35	121	25	67	20	74	14	37	8	23	6	5	2	11	1	137	16	337	98	17	..	3	..	10	1	..	..
Stafford	556	161	23	11	112	47	131	35	106	21	113	24	29	13	12	4	12	3	18	3	140	72	303	77	79	3	3	..	31	4	..	..
Suffolk	341	66	19	2	59	17	94	21	63	9	53	7	29	7	12	2	7	1	5	..	97	16	200	48	33	2	3	..	8	..	..	..
Surrey	727	215	71	12	195	41	182	62	87	39	100	37	48	11	25	8	7	2	12	3	174	49	443	138	94	24	2	..	14	4	..	..
Sussex	323	86	31	1	76	26	75	25	51	11	47	12	30	9	7	6	5	1	1	..	80	17	222	65	18	3	1	..	2	1	..	..
Warwick	625	144	49	5	152	56	166	47	78	9	83	8	43	10	15	8	3	1	6	..	188	49	344	87	76	8	11	..	6	..	..	..
Westmoreland	39	7	5	..	3	2	8	1	3	2	3	1	5	1	3	..	..	..	..	..	8	3	29	4	2	..	..	..	..	..	..	..
Wilts	337	52	12	1	33	12	37	13	41	7	37	8	27	8	18	..	11	3	11	..	76	9	205	42	31	1	2	..	13	..	..	..
Worcester	442	121	37	7	101	27	106	29	69	14	59	19	28	16	19	..	7	2	17	2	159	51	248	65	15	2	3	..	17	3	..	..
York	1,127	290	72	8	235	71	278	72	173	45	226	52	91	24	29	12	15	3	18	3	267	111	762	166	68	6	5	1	25	6	..	..
Anglesea	20	3	..	..	3	..	2	..	4	..	4	2	2	..	1	..	1	..	3	1	6	2	9	..	..	..	2	..	3	1	..	..
Brecon	30	7	..	..	4	..	8	4	2	..	6	1	4	2	1	..	2	..	3	..	7	4	15	3	5	..	..	..	3	..	..	..
Cardigan	40	7	6	..	6	4	8	1	4	..	7	..	4	..	1	..	..	1	4	1	8	4	27	2	1	..	..	..	4	1	..	..
Carmarthen	74	13	6	4	14	2	19	1	10	1	12	1	8	1	3	3	1	..	1	..	36	11	29	2	4	..	..	..	9	..	..	..
Caernarvon	34	5	..	..	4	1	7	..	5	2	4	..	10	1	1	1	..	..	3	..	5	1	22	4	4	..	..	..	3	..	..	..
Denbigh	50	16	1	1	6	2	13	3	3	2	10	2	2	2	2	1	1	2	7	1	23	4	19	6	..	..	..	..	8	1	..	..
Flint	48	14	1	..	4	2	9	4	7	4	15	..	6	2	2	1	2	..	3	..	12	4	27	10	6	..	..	..	3	..	..	..
Glamorgan	117	42	5	..	18	9	24	13	21	6	19	3	17	10	3	1	5	..	5	..	51	29	54	12	7	1	1	..	4	..	..	..
Merioneth	11	1	3	..	2	..	4	..	..	..	..	..	..	..	1	2	..	..	..	..	3	1	5	..	1	..	..	..	2	..	..	..
Montgomery	57	10	4	..	11	2	16	2	7	1	15	3	4	..	..	2	..	..	..	..	12	3	44	7	1	..	..	..	..	..	..	..
Pembroke	54	12	3	2	7	1	13	..	10	3	9	2	6	3	2	1	3	..	1	..	15	3	32	4	7	..	..	..	4	..	..	..
Radnor	27	3	..	..	5	..	6	..	6	1	4	..	1	..	1	1	1	1	3	..	8	2	16	1	..	..	..	..	3	..	..	..
Total	19,341	4962	1382	217	4683	1167	4700	1181	2711	760	3025	780	1495	492	648	226	330	93	417	51	5696	1740	11,215	2964	1659	178	86	3	483	77		

IV. *Table showing the Number of Persons Committed for Trial or Bailed, in England and Wales, in each of the last Ten Years, the Total in each of the Two Quinquennial Periods, and the Offences with which the Persons stood Charged.*

Offences.	1845	1844	1843	1842	1841	Total of Five Years 1841-45	1840	1839	1838	1837	1836	Total of Five Years, 1836-40
No. 1. *Offences against the Person.*												
Murder	65	75	85	67	66	358	54	46	75	43	73	291
Attempts to murder, attended with dangerous bodily injuries	21	17	12	4	6	60	5	34	6			
Attempts to murder, unattended with bodily injuries	9	19	23	26	24	101	25	19	10	121	118	813
Shooting at, stabbing, wounding, &c. with intent to maim, disfigure, &c.	136	221	219	166	212	954	178	158	139			
Manslaughter	173	209	258	191	218	1,049	177	204	231	199	201	1,012
Attempts to procure the miscarriage of women	1	6	13	5	3	28	4	1	5	4	6	20
Concealing the births of infants	53	57	66	49	51	306	53	51	50	41	45	240
Sodomy	50	69	67	38	35	259	24	19	22	22	31	118
Assaults, with intent to commit sodomy, and other unnatural misdemeanors	51	97	77	53	62	340	39	46	53	53	78	269
Rape, and carnally abusing girls under the age of ten years	96	127	127	118	78	536	56	73	39	73	55	296
Assaults, with intent to ravish and carnally abuse	123	167	158	141	118	707	106	138	136	122	123	627
Carnally abusing girls between the age of ten and twelve years	6	8	7	2	4	27	4	5	7	5	3	24
Abduction	..	4	..	7	3	14	3	5	1	..	3	12
Bigamy	62	69	107	65	50	353	68	49	48	49	35	244
Child stealing	4	5	6	1	1	17	1	5	3	3	6	18
Assaults	797	788	742	727	660	3,714	604	728	695	590	700	3,312
Assaults on peace officers in the execution of their duty	329	338	464	467	549	2,147	485	433	389	394	477	2,128
Total of No. 1	1,966	2,306	2,431	2,127	2,140	10,970	1,281	2,009	1,859	1,719	1,956	9,424
No. 2. *Offences against Property, committed with Violence.*												
Sacrilege	3	10	27	17	9	66	16	9	4	4	25	58
Burglary	412	476	812	560	521	2,781	504	378	398			
Burglary, attended with violence to persons	11	5	27	20	12	75	18	4	3	321	279	1,900
Housebreaking	483	546	669	679	625	3,002	593	509	534	495	407	2,638
Breaking within the curtilage of dwelling houses, and stealing	64	54	100	95	84	397	72	58	87	93	75	385
Breaking into shops, warehouses, and counting-houses, and stealing	155	200	276	251	208	1,090	222	115	137	138	116	728
Misdemeanors, with intent to commit the above offences	16	29	39	37	23	144	12	13	17	13	20	75
Robbery	74	78	146	106	102	506	124	142	156			
Robbery and attempts to rob, by persons armed, in company, &c.	208	291	322	330	224	1,375	216	194	122			
Robbery, attended with cutting or wounding	9	22	37	10	10	88	8	2	13	290	334	1,572
Obtaining property by threats to accuse of unnatural crimes	1	6	1	4	3	17	1	..	..			

IV. *Table showing the Number of Persons Committed for Trial or Bailed, &c.*—continued.

Offences.	1845	1844	1843	1842	1841	Total of Five Years, 1841-45.	1840	1839	1838	1837	1836	Total of Five Years, 1836-40.
No. 2. *Offences against Property, &c.*—cont.												
Assaults, with intent to rob, and demanding property with menaces	22	31	57	50	45	205	39	31	62	44	47	221
Stealing in dwelling-houses, persons therein being put in fear	1	3	11	2	2	19	5	2	5	1	5	18
Sending menacing letters to extort money	5	6	6	2	3	22	1	5	..	1	2	9
Piracy	7	2	..	15	..	24	3	..	..	..	..	3
Total of No. 2	1,471	1,759	2,530	2,178	1,873	9,811	1,934	1,482	1,538	1,400	1,310	7,614
No. 3. *Offences against Property, committed without Violence.*												
Cattle stealing	32	44	59	54	50	239	47	32	36	40	35	190
Horse stealing	110	163	182	172	170	797	212	121	154	142	148	777
Sheep stealing	215	286	403	428	339	1,671	375	324	341	371	298	1,709
Larceny to the value of £5, in dwelling-houses	179	188	204	229	190	990	168	169	159	211	170	877
Larceny, from the person	1,796	1,626	1,676	1,694	1,707	8,499	1,570	1,470	1,439	1,483	1,518	7,480
Larceny, by servants	1,501	1,329	1,484	1,550	1,550	7,364	1,482	1,318	1,047	1,058	987	5,892
Larceny, simple	13,794	14,777	15,977	17,220	15,796	77,564	15,536	13,848	13,270	13,712	11,597	67,963
Stealing from vessels in port, on a river, &c.	113	94	146	151	123	627	100	106	82	83	50	421
Stealing goods in process of manufacture	1	3	5	5	2	14	9	1	5	1	3	19
Stealing fixtures, trees, and shrubs growing, &c.	262	278	389	442	257	1,628	254	215	236	274	115	1,094
Misdemeanors, with intent to steal	27	25	18	24	17	111	16	25	21	17	13	92
Embezzlement	351	354	367	408	376	1,856	300	332	297	311	229	1,469
Stealing and receiving letters stolen from the Post-Office, by servants	12	11	25	22	25	95	19	6	8	5	7	45
Receiving stolen goods	617	657	827	907	808	3,816	860	781	706	707	618	3,672
Frauds, and attempts to defraud	456	590	588	689	597	2,960	536	495	477	469	379	2,356
Total of No. 3	19,506	20,425	22,298	23,995	22,017	108,241	21,484	19,243	18,278	18,884	16,167	94,056
No. 4. *Malicious Offences against Property.*												
Setting fire to a dwelling-house, or shop, persons being therein	3	3	3	12	2	33	1	6	5	40	62	221
Setting fire to a house, warehouse, corn-stack, &c.	78	217	90	45	22	452	45	31	31			
Setting fire to crops, plantations, heath, &c.	12	15	4	3	3	37	22	6	8	2	10	48
Attempts to commit arson, set fire to crops, &c.	9	5	3	2	8	27	4	2	5	1	5	17
Riot, and feloniously demolishing buildings, machinery, &c.	..	2	60	71	7	140	..	9	1	..	8	18
Destroying silk, woollen, linen, or cotton goods, in process of manufacture	2	1	1	3	3	10	3	3	3	2	4	15
Destroying hop-binds, trees, and shrubs growing, &c.	2	11	18	8	6	45	8	11	2	10	24	55
Killing and maiming cattle	23	43	34	37	23	170	34	25	24	42	35	160
Sending letters threatening to burn houses, &c.	6	14	15	6	1	42	2	4	3	3	7	19
Other malicious offences	9	31	46	14	14	114	26	8	7	14	13	68
Total of No. 4	149	347	279	201	94	1,070	145	105	89	114	168	621

No. 5. *Forgery and Offences against the Currency.*												
Forging and uttering forged Bank of England notes	2	2	8	12	8	32	20	10	8	4	1	43
Forging and uttering other forged instruments	109	151	182	139	114	695	140	93	101	66	54	454
Having in possession, &c. forged Bank of England notes	..	..	1	..	..	1	4	1	1	1	..	7
Counterfeiting the current gold and silver coin	7	9	23	26	22	92	16	..	15	8	29	68
Having in possession, &c. implements for coining	12	21	40	50	13	136	16	12	23	22	3	81
Buying and putting off counterfeit gold and silver coin	..	3	2	1	..	6	2	2	2	1	6	13
Uttering and having in possession ditto.	308	362	407	406	280	1,763	343	318	348	354	266	1,629
Total of No. 5 . .	438	548	663	634	437	2,725	541	436	503	456	359	2,295
No. 6. *Other Offences not included in the above Classes.*												
High treason	..	..	..	1	..	1	14	..	..	..	..	14
Assembling armed, &c. to aid smugglers	..	..	..	..	..	..	..	..	..	..	..	..
Assaulting and obstructing officers employed to prevent smuggling	..	1	16	6	1	24	..	6	2	5	3	16
Deer stealing, and feloniously resisting deer-keepers	6	17	4	10	7	44	4	8	8	4	10	34
Being out armed, &c. to take game by night, taking game by night, and assaulting gamekeepers	95	111	236	101	116	659	91	90	79	143	151	554
Taking and destroying fish in enclosed water	5	6	2	9	4	26	11	13	..	19	..	43
Being at large under sentence of transportation	1	3	6	2	5	17	5	2	2	1	4	14
Prison-breaking, harbouring, and aiding the escape of felons	16	24	24	27	21	112	30	13	23	15	9	95
Perjury and subornation of perjury	27	50	65	79	38	259	30	43	25	33	25	156
Riot, sedition, &c.	..	2	60	962	5	1,029	212	231	..	..	..	443
Riot, breach of the peace, and pound-breach	363	567	543	595	553	2,621	418	592	420	523	524	2,477
Rescue, and refusing to aid peace-officers	14	13	18	12	39	96	23	23	14	21	23	108
Keeping disorderly houses	86	187	145	186	193	802	229	92	144	180	154	799
Indecently exposing the person	5	9	6	5	10	35	6	20	16	14	36	92
Felonies, not included in above denominations	8	9	24	8	14	63	2	7	6	11	16	42
Misdemeanors, ditto	147	158	236	171	188	900	128	78	83	70	64	423
Total of No. 6 . .	773	1,157	1,385	2,174	1,199	6,688	1,202	1,218	827	1,039	1,024	5,310
Grand Total . .	24,308	26,242	29,591	31,309	27,760	139,505	27,187	24,443	23,094	23,612	20,984	119,320

V. *Table showing the Number of Persons Committed for Trial or Bailed in each County of England and Wales, in each of the Ten Years ending with* 1845.

Counties.	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836
Bedford	155	188	202	229	191	175	108	134	123	162
Berks	260	227	328	333	308	247	324	290	270	205
Bucks	286	250	313	277	287	246	251	237	258	193
Cambridge	239	237	257	241	240	220	219	237	260	279
Chester	683	777	1,018	1,086	943	1,042	775	645	616	554
Cornwall	272	239	301	228	295	339	289	264	241	198
Cumberland	118	138	109	115	151	131	146	155	154	143
Derby	186	279	322	322	277	247	239	262	228	192
Devon	720	715	740	716	687	717	659	578	671	527
Dorset	218	203	252	241	234	274	294	255	256	193
Durham	203	376	300	266	215	171	206	164	202	164
Essex	554	596	710	758	647	683	542	636	747	619
Gloucester (inc. Bristol)	929	1,071	1,186	1,252	1,236	1,045	935	1,021	906	823
Hereford	226	230	238	259	245	237	214	190	186	154
Hertford	244	271	265	338	319	303	258	343	335	324
Huntingdon	83	79	68	68	62	83	53	97	67	63
Kent	831	911	977	1,155	962	903	956	1,024	896	872
Lancaster	2,852	2,893	3,677	4,497	3,987	3,506	2,901	2,585	2,809	2,265
Leicester	328	491	509	492	466	466	412	365	432	310
Lincoln	389	542	563	507	349	409	386	383	412	411
Middlesex (inc. London)	4,440	4,027	4,260	4,074	3,586	3,577	3,249	3,433	3,273	3,350
Monmouth	196	278	261	264	364	330	230	197	154	120
Norfolk	642	788	782	808	666	693	732	598	653	739
Northampton	302	294	270	346	342	270	250	269	298	187
Northumberland	189	294	290	245	226	196	139	159	189	170
Nottingham	267	348	353	374	329	356	314	250	307	302
Oxford	309	296	328	334	323	359	309	286	272	244
Rutland	23	23	39	43	14	9	13	13	27	24
Salop	368	449	534	470	416	397	310	271	252	223
Somerset	873	1,039	967	1,141	991	1,123	843	853	1,026	796
Southampton	619	517	676	702	677	735	642	632	622	545
Stafford	717	835	1,175	1,485	1,059	923	930	768	909	636
Suffolk	407	630	595	527	462	484	527	505	493	522
Surrey	942	941	867	1,017	923	938	1,016	899	950	984
Sussex	409	409	493	550	539	543	504	529	420	391
Warwick	769	894	1,045	1,003	1,046	1,001	778	884	880	728
Westmoreland	46	24	44	39	33	38	37	36	25	29
Wilts	379	432	464	548	506	462	428	407	482	354
Worcester	563	603	679	609	536	627	460	427	409	328
York	1,417	1,691	2,304	2,598	1,895	1,867	1,621	1,324	1,976	1,252
Anglesea	23	7	20	21	18	16	16	9	16	19
Brecon	37	58	62	56	48	58	43	21	29	27
Cardigan	47	31	26	14	17	13	27	16	13	5
Caermarthen	87	117	171	49	32	67	36	61	49	19
Caernarvon	39	32	21	38	33	66	47	45	22	32
Denbigh	66	89	89	79	81	55	48	62	76	55
Flint	62	50	49	61	44	36	25	18	39	31
Glamorgan	159	225	174	197	189	184	126	94	103	82
Merioneth	12	9	21	12	5	11	7	6	5	12
Montgomery	67	96	94	73	75	85	93	48	54	48
Pembroke	66	54	88	48	58	44	44	46	54	67
Radnor	30	29	25	23	33	15	31	15	18	15
Total	24,303	26,542	29,591	31,809	27,760	27,187	24,443	23,094	23,612	20,984

VI. *Table showing the Total Number of Persons Committed for Trial or Bailed in Scotland in* 1845, *and the Result of the Proceedings.*

Offences.	Total Number of Offenders.	Convicted.															Outlawed.	Insane to be detained.		Acquitted on Trial.		Discharged without Trial.		Execution of Capital Sentences, or Commutation or Purdon.								
			Transportation.				Imprisonment, with, in some Cases, Whipping, Fine, &c.																		Commutation.								
																										Transportation.			Imprisonment.				
		Death.	Life.	14 Years.	7 Years.	Other Periods.	Above 3 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Whipping.	Fine.	Discharged on Sureties.	No Sentence.	Total.		Found Insane on Arraignment.	Found Insane on Trial.	Not Guilty.	Not Proven.	By Lord Advocate and his Deputies.	From other Causes.	Total Acquitted or Discharged.	Execution.	Life.	14 Years.	7 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Free Pardon.
No. 1. *Offences against the Person.*																																
Murder	11	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	3	6	..	11	..	..	..	..	..	..	..	..
Shooting at, stabbing, administering poison, &c., with intent to murder, maim, &c., (under statute)	15	..	2	..	2	..	..	..	1	..	5	..	..	..	..	10	1	..	..	..	2	1	1	4	..	..	..	..	..	..	..	..
Culpable homicide	34	..	..	..	..	..	..	..	..	6	4	..	1	..	..	11	..	..	..	6	..	16	1	23	..	..	..	..	..	..	..	..
Procuring, and attempts to procure, the miscarriage of women quick with child	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Ditto of women not quick with child	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..
Concealment of pregnancy	22	..	..	..	..	..	..	..	..	3	6	..	..	..	..	14	..	..	..	1	1	5	1	8	..	..	..	..	..	..	..	..
Sodomy and bestiality	3	..	..	1	..	2	..	..	..	..	..	..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sodomy, assaults with intent to commit, and other unnatural minor offences	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Rape	11	..	..	..	..	1	..	..	2	..	..	..	..	..	..	3	..	..	..	..	1	7	..	8	..	..	..	..	..	..	..	..
Assaults, with intent to ravish	18	..	..	..	1	..	..	..	2	..	2	..	1	..	..	6	1	..	..	..	1	9	1	11	..	..	..	..	..	..	..	..
Abduction	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Bigamy	7	..	..	..	..	..	..	..	1	2	2	..	..	..	..	5	..	..	..	..	..	1	1	2	..	..	..	..	..	..	..	..
Child stealing	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..
Assaults	675	..	..	..	2	..	..	..	5	11	367	..	111	1	3	500	5	..	1	11	64	58	41	170	..	..	..	..	..	..	..	..
Assaults on peace officers in the execution of their duty	26	..	..	..	1	..	..	..	..	3	17	..	..	..	..	21	..	..	..	..	3	2	..	5	..	..	..	..	..	..	..	..
Total of No. 1	824	..	2	1	6	3	..	..	9	32	408	..	113	1	3	573	7	1	1	19	75	102	46	244	..	..	..	..	..	..	..	..
No. 2. *Offences against Property, committed with Violence.*																																
Theft by shipbreaking	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Theft by housebreaking	356	..	..	7	64	31	..	..	28	69	68	..	..	..	..	262	5	..	..	5	12	57	15	89	..	..	..	..	..	..	..	..
Theft by opening lock-fast places	83	..	..	..	8	1	..	..	4	24	35	..	..	..	..	72	2	..	..	3	3	3	..	9	..	..	..	..	..	..	..	..
Housebreaking, with intent to steal	20	..	..	..	1	..	..	..	..	1	16	..	..	..	..	18	..	..	..	..	..	2	..	2	..	..	..	..	..	..	..	..
Violent invasion of houses, with intent to commit other high crimes than theft	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Minor crimes, with intent to commit the above offences	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Robbery	44	..	..	..	13	5	..	..	3	2	..	..	..	..	..	23	1	..	..	..	3	17	..	20	..	..	..	..	..	..	..	..
Assaults, with intent to rob, and demanding property with menaces	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Stouthrief	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sending menacing letters to extort money	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 2	504	..	..	7	87	37	..	..	35	96	114	..	..	..	..	376	8	..	..	8	18	79	15	120	..	..	..	..	..	..	..	..

VI. *Table showing the Total Number of Persons Committed for Trial or Bailed, &c.*—continued.

Offences.	Total Number of Offenders.	Convicted.															Outlawed.	Insane; to be detained.		Acquitted on Trial.		Discharged without Trial.		Total Acquitted or Discharged.	Execution of Capital Sentences, or Commutation or Pardon.							
			Transportation.				Imprisonment, with, in some Cases, Whipping, Fine, &c.																			Commutation.							
																										Transportation.		Imprisonment.					
		Death.	Life.	14 Years.	7 Years.	Other Periods.	Above 3 Years.	3 Years and above 2 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Whipping.	Fine.	Discharge on Sureties.	No Sentence.	Total.		Found Insane on Arraignment.	Found Insane on Trial.	Not Guilty.	Not Proven.	By Lord Advocate and his Deputies.	From other Causes.		Execution.	Life.	14 Years.	7 Years.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	Free Pardon.
No. 3. *Offences against Property, committed without Violence.*																																
Cattle stealing	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Horse stealing	8	..	..	..	1	..	..	..	1	..	..	..	..	..	..	4	..	..	..	..	..	4	4	..	..	..	..	..	..	..	..	..
Sheep stealing	16	..	..	..	5	1	..	2	2	..	..	..	..	..	..	10	1	..	..	..	3	2	5	..	..	..	..	..	..	..	..	..
Thefts, simple, or not falling under any of the previous or subsequent denominations	1,629	..	..	1	145	32	..	..	85	237	845	..	..	..	3	1,348	4	..	1	5	103	105	63	277	..	..	..	..	..	..	..	..	..
Stealing goods in process of manufacture	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Minor crimes, with intent to steal	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Embezzlement	26	..	..	..	..	..	..	..	1	..	19	..	1	..	..	21	2	..	..	..	..	..	3	3	..	..	..	..	..	..	..	..
Stealing, &c., letters, &c., from the Post-Office, by servants	3	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	1	1	2	..	..	..	..	..	..	..	..
Reset of theft	97	..	..	..	1	..	..	..	4	15	42	..	..	..	1	62	2	..	..	4	8	18	9	33	..	..	..	..	..	..	..	..
Frauds, and attempts to defraud	65	..	..	..	..	..	..	..	3	3	43	..	1	..	..	52	3	..	..	..	3	5	2	10	..	..	..	..	..	..	..	..
Total of No. 3	1,845	..	..	1	153	34	..	..	96	258	951	..	2	..	4	1,499	12	..	1	9	112	135	77	334	..	..	..	..	..	..	..	..	..
No. 4. *Malicious Offences against Property.*																																
Fire-raising (capital unless restricted)	15	..	..	..	1	..	..	..	1	2	..	..	..	..	..	4	..	..	..	1	2	5	3	11	..	..	..	..	..	..	..	..	..
Setting fire to heaths, furze, and other subjects, where not capital	2	..	..	..	..	..	..	..	..	..	..	..	2	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Attempts to commit arson, set fire to heaths, &c.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Rioters feloniously demolishing buildings, machinery, &c.	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Destroying silk, woollen, linen, or cotton goods, in process of manufacture	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Destroying threshing machines	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Destroying trees and shrubs growing, &c.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Killing and maiming cattle	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sending letters threatening to burn houses, &c.	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	1	..	2	..	..	..	..	..	..	..	..	..
Other malicious offences	46	..	..	..	..	..	..	..	..	..	18	..	8	..	..	26	..	..	..	1	1	16	2	20	..	..	..	..	..	..	..	..	..
Total of No. 4	66	..	..	..	1	..	..	..	1	2	19	..	10	..	..	33	..	..	..	2	4	22	5	33	..	..	..	..	..	..	..	..	..

No. 5. *Forgery and Offences against the Currency.*																																				
Forging and uttering forged wills, and powers of attorney for the transfer of stock or receipt of dividends	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..
Forging and uttering forged Bank of England notes	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Forging and uttering other forged instruments	51	..	..	..	4	2	..	..	7	7	15	..	..	..	..	35	..	..	..	..	4	11	1	16	..	..	..	..	..	..	..	..	..	..	..	..
Having in possession, &c., forged Bank of England notes	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Counterfeiting the current gold and silver coin	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..
Having in possession, &c., implements for coining	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Buying and putting off counterfeit gold and silver coin	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Uttering and having in possession ditto	56	..	..	..	6	2	..	..	3	5	20	..	..	..	..	41	..	..	..	1	3	11	..	15	..	..	..	..	..	..	..	..	..	..	..	..
Counterfeiting, buying, putting off, and uttering counterfeit copper coin	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 5	109	..	..	..	10	4	..	..	15	12	35	..	..	..	..	76	..	..	..	2	7	22	2	33	..	..	..	..	..	..	..	..	..	..	..	..
No. 6. *Other Offences, not included in the above Classes.*																																				
Assembling armed, and to aid smugglers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Assaulting and obstructing officers employed to prevent smuggling	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Deer-stealing, and feloniously resisting deer-keepers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Being out armed, &c., to take game by night, taking game by night, and assaulting game-keepers	26	..	..	..	..	..	..	..	..	..	14	..	..	..	..	14	..	..	..	..	2	10	..	12	..	..	..	..	..	..	..	..	..	..	..	..
Taking and destroying fish in enclosed water	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Being at large under sentence of transportation	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Prison-breaking, harbouring, and aiding the escape of felons	5	..	..	..	..	..	..	..	..	..	5	..	..	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Perjury and subornation of perjury	9	..	..	..	..	..	..	..	..	..	4	..	..	..	..	4	..	..	..	..	..	2	3	5	..	..	..	..	..	..	..	..	..	..	..	..
Exposing children	2	..	..	..	..	..	..	1	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..
Conspiracy to raise the rate of wages	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Riot, breach of the peace, and breach of poindings	79	..	..	..	..	..	..	..	..	..	37	..	15	..	..	52	1	..	..	2	2	11	11	26	..	..	..	..	..	..	..	..	..	..	..	..
Deforcement and refusing to aid peace officers	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	1	3	..	..	..	..	..	..	..	..	..	..	..	..
Keeping disorderly houses	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Improperly blasting rocks	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..
Indecently exposing the person	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Hamesucken	3	..	..	..	..	..	..	..	..	..	3	..	..	..	..	3	..	..	..	..	..	3	..	3	..	..	..	..	..	..	..	..	..	..	..	..
High crimes, not included in the above denominations	11	..	..	2	1	..	..	..	..	..	1	..	2	..	..	6	..	..	..	..	1	3	1	5	..	..	..	..	..	..	..	..	..	..	..	..
Minor offences, ditto	48	..	..	..	..	..	..	..	..	3	26	..	5	..	1	35	..	..	..	..	..	7	6	13	..	..	..	..	..	..	..	..	..	..	..	..
Total of No. 6	189	..	..	2	1	..	..	..	1	3	91	..	23	..	1	122	1	..	..	2	5	36	23	66	..	..	..	..	..	..	..	..	..	..	..	..
Grand Total	3,537	..	2	11	258	78	..	..	157	403	1,613	..	148	1	8	2,679	28	1	2	42	221	396	168	830	..	..	..	..	..	..	..	..	..	..	..	..

VII. *Table showing, in each County of Scotland, the Total Number of Persons Tried in each Court, the Total Number of the Convicts previously Convicted of Similar Offences, and the Total Number Convicted of other Offences at the same Trial, distinguishing the Sex in these and other particulars.*

Counties.	Total Number of Persons Tried.			Court by which Tried.																		Convicted, Outlawed, or Insane.			Convicted under the Aggravation of Previous Conviction.			Convicted of other Offences at the same Trial.			Other Offences of which Convicted at same Trial.
				High Court of Justiciary.			Circuit Court of Justiciary.			Sheriff.						Burgh Magistrates.			Justices or other Courts.											
										With a Jury.			Without a Jury.																	
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
Aberdeen	60	25	85	1	..	1	21	12	33	22	13	35	15	..	15	..	..	..	1	..	1	56	24	80	12	17	29	..	..	..	..
Argyle	118	21	139	..	..	..	7	1	8	17	4	21	83	15	98	5	1	6	6	..	6	102	21	123	9	3	12	5	..	5	..
Ayr	70	33	103	1	..	1	12	12	24	39	20	59	18	1	19	..	..	..	..	..	..	68	31	99	15	12	27	1	3	4	..
Banff	12	8	20	..	..	..	2	5	7	9	3	12	1	..	1	..	..	..	..	..	..	9	7	16	..	1	1	..	..	..	..
Berwick	44	9	53	1	..	1	..	1	1	12	3	15	31	5	36	..	..	..	..	..	..	32	6	38	..	..	..	3	1	4	..
Bute	5	4	9	..	..	..	2	..	2	..	1	1	2	..	2	1	3	4	..	..	..	4	4	8	..	..	..	..	..	..	..
Caithness	5	2	7	..	..	..	..	..	..	4	..	4	1	2	3	..	..	..	..	..	..	5	2	7	..	..	..	..	..	..	..
Clackmannan	17	2	19	1	..	1	1	..	1	11	2	13	4	..	4	..	..	..	..	..	..	14	2	16	2	1	3	..	..	..	..
Dumbarton	57	27	84	..	..	..	5	..	5	13	8	21	37	18	55	2	1	3	..	..	..	54	26	80	5	6	11	1	..	1	..
Dumfries	63	21	84	4	2	6	2	1	3	16	7	23	41	11	52	..	..	..	..	..	..	51	20	71	1	1	2	7	..	7	..
Edinburgh	274	138	412	80	39	119	..	..	..	156	93	249	33	6	39	5	..	5	..	..	..	254	126	380	107	46	153	..	..	..	..
Elgin and Moray	32	6	38	..	..	..	..	..	..	18	6	24	14	..	14	..	..	..	..	..	..	31	6	37	4	2	6	..	..	..	..
Fife	53	21	74	4	..	4	9	6	15	28	12	40	12	3	15	..	..	..	..	..	..	49	19	68	6	4	10	5	..	5	11
Forfar	177	120	297	1	2	3	30	31	61	86	60	146	46	15	61	10	11	21	4	1	5	165	112	277	56	52	108	17	3	20	23
Haddington	31	6	37	6	2	8	..	..	..	8	3	11	7	..	7	10	1	11	..	..	..	27	6	33	5	2	7	..	..	..	..
Inverness	99	28	127	1	..	1	8	2	10	25	12	37	60	14	74	..	..	..	5	..	5	86	27	113	5	..	5	..	..	..	..
Kincardine	13	7	20	..	..	..	2	1	3	4	6	10	7	..	7	..	..	..	..	..	..	14	3	17	2	1	3	..	..	..	..
Kinross	4	1	5	..	..	..	..	..	..	4	1	5	..	..	..	..	..	..	..	..	..	4	1	5	2	..	2	..	..	..	2
Kirkcudbright	12	1	13	..	..	..	..	1	1	4	..	4	8	..	8	..	..	..	..	..	..	12	1	13	..	..	..	..	..	..	..
Lanark	333	184	522	4	1	5	115	44	159	113	66	179	24	5	29	82	68	150	..	..	..	266	170	468	129	96	225	..	..	..	1
Linlithgow	43	18	61	2	2	4	..	..	..	14	5	19	14	8	22	9	3	13	4	..	4	41	16	57	7	8	15	1	..	1	..
Nairn	3	1	4	..	..	..	..	..	..	1	..	1	2	1	3	..	..	..	..	..	..	2	1	3	..	..	..	..	..	..	4
Orkney and Zetland	27	10	37	..	..	..	..	..	..	4	4	8	23	6	29	..	..	..	..	..	..	24	10	34	5	2	7	6	..	6	..
Peebles	14	..	14	2	..	2	..	..	..	3	..	3	7	..	7	..	..	..	..	..	..	14	..	14	5	..	5	..	..	..	..
Perth	87	28	115	4	..	4	11	10	21	51	15	66	21	3	24	..	..	..	..	..	..	76	27	103	23	18	41	2	..	2	1
Renfrew	205	96	301	..	..	..	18	12	30	40	25	65	48	17	65	76	35	111	22	7	30	180	91	281	..	..	..	..	..	..	..
Ross and Cromarty	18	..	18	..	..	..	6	..	6	7	..	7	5	..	5	..	..	..	..	..	..	17	..	17	..	..	..	..	..	..	..
Roxburgh	60	16	76	1	..	1	10	3	13	19	5	24	30	8	38	..	..	..	..	..	..	56	15	71	14	5	19	13	..	13	..
Selkirk	7	2	9	..	..	..	2	1	3	1	..	1	4	1	5	..	..	..	..	..	..	7	2	9	1	..	1	..	..	..	..
Stirling	99	50	149	5	1	6	13	7	20	51	32	83	30	10	40	..	..	..	..	..	..	93	46	139	32	28	60	3	..	3	3
Sutherland	4	1	5	1	..	1	2	1	3	1	..	1	..	..	..	..	..	..	..	..	..	3	1	4	..	1	1	..	..	..	..
Wigtown	29	7	36	1	..	1	3	1	4	7	4	11	10	1	11	8	1	9	..	..	..	38	6	34	2	2	4	..	..	..	..
Total	2,060	893	2,973	120	49	169	283	152	435	788	410	1,198	638	150	788	208	124	332	43	8	51	1,881	829	2,710	454	303	757	66	7	73	43

VIII.—State of Crime in Ireland.

The state of crime for a series of years, according to the annual returns of the Inspectors-General of Prisons, was as follows:—

Years.	Number charged with Crime.	Total Convictions.	Sentences, least and greatest.		Executions.	Proportion of Convictions to Population.
			6 Months' Imprisonment and under.	Capital.		
1826	16,318	8,716	6,283	281	34	1 in 832
1827	18,031	10,207	6,846	346	37	1 in 735
1828	14,683	9,269	6,449	211	21	1 in 809
1829	15,271	9,449	6,526	224	38	1 in 815
1830	15,794	9,902	7,506	262	39	1 in 777
1831	16,162	9,605	6,940	307	37	1 in 802
1832	16,056	9,759	6,965	319	39	1 in 799
1833	17,819	11,444	8,836	237	39	1 in 699
1834	21,381	14,253	11,190	197	43	1 in 561
1835	21,205	15,216	10,787	179	27	1 in 526
1836	23,691	18,110	13,464	175	14	1 in 442

By a new arrangement of the returns, adopted in 1837, the slighter cases, decided summarily at Petty Sessions and before magistrates, were distinguished from the graver brought before the Quarter Sessions and Assizes, as in the following table:—

Years.	Summary Convictions.		Number of Cases at Assizes and Quarter Sessions.	Total Convicted.	Sentences at Assizes, least and greatest.		Executions.	Proportion of Convictions to Population.	Increase or Decrease per Cent.
	Petty Offences.	Drunkenness.			6 Months' Imprisonment and under.	Capital.			
1837	9,649	8,789	14,804	9,536	6,186	154	10	1 in 839	38·05 dec.
1838	9,760	16,461	15,723	9,609	6,349	39	3	1 in 862	6·21 inc.
1839	16,812	38,678	26,392	12,049	7,726	26	17	1 in 666	67·85 inc.
1840	15,261	23,227	23,233	11,194	6,976	43	0	1 in 715	9·69 dec.
1841	13,177	28,649	20,796	9,287	5,624	40	5	1 in 880	12·74 dec.
1842	17,009	17,396	21,186	9,374	5,973	25	4	1 in 822	1·84 inc.
1843	18,348	20,462	20,126	8,620	5,282	21	5	1 in 948	5·06 dec.
1844	16,887	24,362	19,448	8,042	7,580	20	9	1 in 1,016	3·36 dec.
1845	17,512	22,076	16,696	7,101	5,696	13	3	1 in 1,127	

Table showing the Commitments in the several Counties, &c., in Ireland, for the Years 1843, 1844, *and* 1845, *and the Number of Convictions.*

Counties.	Number Committed.			Number Convicted.			Counties.	Number Committed.			Number Convicted.		
	1843	1844	1845	1843	1844	1845		1843	1844	1845	1843	1844	1845
Antrim	527	493	369	422	387	292	Londonderry	343	462	288	222	226	163
Armagh	483	513	396	261	244	189	Longford	299	269	306	100	92	108
Carlow	340	349	350	128	133	141	Louth	207	294	263	83	99	91
Cavan	688	569	453	210	154	126	—— Drogheda	32	45	50	23	32	29
Clare	737	621	538	197	126	105	Mayo	575	918	756	229	185	178
Cork	1,631	1,709	1,278	571	618	571	Meath	329	297	227	131	104	134
—— City	316	324	217	194	199	214	Monaghan	489	391	256	229	158	195
Donegal	365	297	289	122	126	112	Queen's County	625	557	3 5	277	252	176
Down	609	608	489	291	279	276	Roscommon	718	663	555	314	204	141
Dublin	346	343	253	202	158	189	Sligo	477	535	449	100	108	97
—— City	1,322	1,414	1,330	735	772	690	Tipperary	1,720	1,681	1,508	745	775	613
Fermanagh	400	251	344	140	99	107	Tyrone	446	486	440	199	226	219
Galway	782	821	590	140	143	115	Waterford	500	442	382	207	207	187
—— Town	89	47	63	40	33	31	—— City	10	64	84	7	35	52
Kerry	734	721	740	447	402	440	Westmeath	369	338	289	147	134	108
Kildare	213	173	207	136	93	123	Wexford	315	343	264	189	150	159
Kilkenny	299	373	212	150	176	107	Wicklow	306	424	331	145	183	137
—— City	61	26	54	41	15	27							
King's County	526	465	339	254	216	149							
Leitrim	434	317	361	100	96	91							
Limerick	897	767	683	402	337	274							
—— City	132	114	128	80	68	68							
Whole of Ireland	20,126	19,448	16,696	8,620	8,042	7,101							

Table showing the Number of Capital Sentences in Ireland in each of the Eight Years from 1837 *to* 1844, *both inclusive, and the Number of Executions within the same period.*

Offences	1837	1838	1839	1840	1841	1842	1843	1844
Murder	21	8	30	15	17	11	12	19
Shooting at, stabbing, poisoning, &c.	5	..	1	1	2	1	..	..
Assault with intent to murder	1	1	..	2	..	..	1	..
Solicitation to murder	..	..	..	2	..	..	..	..
Conspiracy to murder	2	..	2	..	..	..	2	1
Rape, and carnally abusing girls under 10 years	5	15	13	11	12	10	..	..
Assault with intent to ravish, &c.	..	1	..	1	..	..	..	..
Sodomy	1	..	..	..	..	..	..	..
Abduction	5	1	13	8	7	..	..	..
Sacrilege	1	..	..	..	..	..	..	..
Burglary	50	1	2	..	..	..	..	..
Housebreaking	..	2	..	..	..	..	..	..
Stealing in dwelling-house, persons being put in fear	3	..	..	..	..	..	..	..
Robbery	50	6	1	..	..	..	..	..
Robbery of arms	5	..	..	..	..	..	..	..
Arson	4	2	3	..	..	..	1	..
Killing and maiming cattle	1	1	1	2	1	1	..	..
Forgery, and uttering forged wills, &c. &c.	..	..	..	1	..	..	..	..
Assembling armed	..	..	..	..	..	1	..	..
Returning from transportation before time	..	1	..	..	..	1	..	..
Bestiality	..	..	..	..	1	..	..	..
Total of capital sentences	154	39	66	43	40	25	16	20
Executions—For murder	10	3	15	..	5	5	4	10
For conspiracy to murder	..	..	2	..	..	..	1	1
Total of executions	10	3	17	..	5	5	5	11

Executions.

1837—Carlow, 2; Kerry, 1; Limerick City, 1; Tipperary, 6: Total, 10.
1838—Fermanagh, 1; Kilkenny, 1; Waterford, 1: Total, 3.
1839—Carlow, 1; Cavan, 2; Galway, 1; Kildare, 1; Kilkenny, 1; King's, 1; Leitrim, 1; Longford, 2; Queen's, 1; Tipperary, 4; Waterford, 2 (conspiring to murder): Total, 17.
1841—Galway, 1; Armagh, 1; Kilkenny, 1; Tipperary, 2: Total, 5.
1842—Armagh, 1; Dublin, 1; King's, 1; Tipperary, 2: Total, 5.
1843—Kilkenny, 1; King's, 1; Tipperary, 1; Wicklow, 1; Kilkenny, 1 (conspiring to murder): Total, 5.
1844—Antrim, 1; King's 2; Limerick, 2; Roscommon, 2; Tipperary, 4 (1 being for conspiracy to murder): Total, 11.

Table showing the Number of Convictions and Sentences passed in Ireland in the Eight Years ending with 1845, *the Number of Acquittals, &c., and the Centesimal Proportion of Convictions and Acquittals to Commitments.*

Sentences.	1838	1839	1840	1841	1842	1843	1844	1845
Death	39	66	43	40	25	16	20	13
Transportation.—Life	85	66	34	25	29	39	45	39
,, 14 years	72	54	54	31	44	24	16	14
,, 7 years	850	916	751	643	677	452	526	423
,, Other periods	92	131	147	165	211	158	113	134
Imprisonment.—Above 3 Years	..	..	..	..	..	..	..	..
,, 3 years and above 2 years	4	2	1	3	6	3	2	..
,, 2 years and above 1 year	133	127	164	134	127	140	107	115
,, 1 year and above 6 months.	1,055	874	908	598	662	571	539	534
,, 6 months and under	6,349	7,726	7,053	5,624	5,973	5,282	4,842	4,347
Whipping, fined, and discharged	925	2,087	2,089	2,024	2,121	1,905	1,832	1,349
Sentence respited	..	..	..	..	..	..	..	128
Total convicted	9,609	12,049	11,194	9,287	9,875	8,620	8,042	7,101
Acquitted.—Not guilty	3,439	7,414	7,134	6,147	6,239	5,853	5,509	4,911
,, No bill found	1,544	4,259	3,828	3,901	3,723	3,805	3,538	3,133
,, No prosecution	696	1,451	1,377	1,360	1,225	1,754	2,098	1,436
,, Bailed and not tried	..	678	286	86	97	71	148	88
,, Insane on arraignment	16	6	6	4	5	6	10	..
,, Acquitted as insane	19	35	6	11	22	12	13	27
Total acquitted, &c.	6,114	14,343	12.639	11,509	11,311	11,506	11,466	9,595
Total committed	15,723	26,392	23,833	20,796	21,186	20,126	19,448	16,696
Centesimal proportion of convictions to commitments	61·11	45·65	46·97	44·66	46·61	42·83	41·39	42·53
Ditto of acquittals to commitments	38·89	54·35	53·03	55·34	53·39	57·17	58·61	57·46

Prisons and Prison discipline.—Our limits enable us to do little more than advert to the more prominent circumstances which have led to the improvement of prisons in this country, the principal enactments which have been passed for their regulation, and the general character of the systems of prison discipline which now claim the attention of the public.

In 1773 the philanthropic Mr. Howard became high sheriff of Bedfordshire, and in the discharge of his duties as such, was deeply affected by the miserable state of the inmates of the prisons under his care. On extending his inquiries, he found that the gaols throughout England were in a lamentable condition; and being earnestly impressed with a deep sense of the duty of alleviating the sufferings he had witnessed, he determined to devote his energies to the examination and reform of these abodes of wretchedness.

At that period the gaols were, with few exceptions, depositories of pestilence, and entirely neglected by those under whose jurisdiction the law had placed them. Many consisted merely of small, filthy, and unventilated dungeons. The prisoners were, in too many cases, subjected to the exactions of tyrannical gaolers, loaded with fetters, immured in loathsome cells, deprived of proper and sufficient food, air, and exercise; and to this treatment were exposed, in common with all others, the prisoners before trial, whom the law presumes innocent of crime. To their personal sufferings were added the most serious of moral evils. In the absence of control, inspection, employment, and religious instruction, imprisonment could not fail to debase and harden, while it was at variance with the primary objects of penal justice.

For the eradication of the gaol distemper (a fatal malady from which few of our prisons were exempted), and the removal of many physical evils in the condition of the prisoner, the country is indebted to the persevering labours of this great philanthropist. The impression which his eminent services produced upon the public mind was, for a time at least, happily great. The attention of the legislature and the magistracy was awakened to the necessity of amending the laws for the government of prisons, and of personally superintending their management. The circumstances of the times combined also to enhance, in the public estimation, the importance of these investigations. The loss of the American provinces had deprived the government of the long accustomed channel for the disposal of convicts sentenced to transportation; and it was thought that many classes of offenders, heretofore sent abroad, might be corrected and reclaimed by imprisonment at home. In conformity with these views, an Act was passed in 1778 (19 Geo. III., c. 74), "to explain and amend the Laws relating to the Transportation, Imprisonment, and other punishment of certain Offenders." The main object of this measure was the establishment of penitentiary houses in this country; and the framing of the enactment was confided to Mr. Howard, Mr. Justice Blackstone, and Sir William Eden.

It is worthy of remark that, in determining upon the nature of the discipline to be enforced in the penitentiary houses contemplated by this statute, these eminent men concurred in recommending the separation of the prisoners from each other. In the 5th section of the

Act it is said that, "if many offenders convicted of crimes for which transportation has been usually inflicted, were ordered to solitary confinement, accompanied by well-regulated labour and religious instruction, it might be the means, under Providence, not only of deterring, but also of reforming the individuals, and inuring them to habits of industry." Differences of opinion occurred among the supervisors appointed to carry this Act into effect, and the erection of penitentiary houses was not at that time proceeded with; but this circumstance did not check the spirit that was abroad for the improvement of the prison laws. The attention of the legislature having been directed to the deplorable state of the prisons generally, an Act was passed in 1781 (22 Geo. III., c. 54), "for amending and rendering more effectual the Laws then in being relative to Houses of Correction." In this statute, also, the legislature sanctioned the separation of prisoners. Houses of correction on the separate principle were erected at Horsham and Petworth, and in their construction every arrangement was made, in the view of carrying that principle into complete effect. Precautionary measures were taken against the transmission of sound from cell to cell. Cells sufficiently spacious for one individual, with a water-closet attached to each cell, were provided. There were separate stalls in the chapel, separate boxes for those who laboured together, and separate airing yards. Encouraged by the successful administration of the separate system in those prisons, the magistrates of Gloucestershire, in 1785, applied for and obtained an Act for the erection of a penitentiary in that county. This prison was completed in 1790. Each prisoner had a separate cell, a room to sleep in, and another in which he was employed alone during the day; and although the separation was not carried out so completely as could have been desired, the discipline was attended with good effects. For a period of twenty years, during which the prisoners were separately confined, no single instance occurred in which the degree of solitude imposed was productive of any unfavourable result. Under the operation of this system at Horsham, Petworth, and Gloucester, we have the strongest testimony that the re-committals had nearly disappeared. The health of the prisoners was excellent; their mental faculties unimpaired; their labour cheerful and constant; their behaviour orderly and submissive; and their moral and religious improvement satisfactory. But no sooner was the system broken in upon at these prisons, by the increase of population, and it became impracticable to continue to confine each prisoner in a separate cell, than these beneficial effects ceased to be apparent. The actual state, however, of the prisons generally throughout the kingdom was but little affected by these enactments and the plans which had been partially adopted for the introduction of an improved system. The more flagrant of the physical sufferings which Mr. Howard had exposed were no sooner alleviated than the interest which his labours had excited in great measure ceased. The prisons remained in a disgraceful state. Many dungeons still existed; and the health and even lives of prisoners were often sacrificed to the want of cleanliness and proper ventilation. The moral effects of imprisonment were most injurious. All classes, the young and old, the untried and convicted, the inexperienced and har-

dened, and in many cases even the sexes, were indiscriminately associated, without employment, and allowed to indulge in nearly every species of corrupt intercourse. The attention of the legislature was drawn to the subject from time to time by the inquiries of parliamentary committees, and also by the reports of the "Society for the Improvement of Prison Discipline."* The information collected from these sources showed the necessity of further legislation; and an Act was accordingly passed in 1823 (4 Geo. IV., c. 64) "for consolidating and amending the Laws relating to the Building, Repairing, and regulating of certain Gaols and Houses of Correction in England and Wales." This Act extends to all county gaols, and to seventeen of the largest prisons under corporate jurisdiction. For the regulation of all other prisons belonging to cities and boroughs, an Act was passed in the following year (5 Geo. IV., c. 84), which relieves the smaller places of confinement from many of the provisions of the preceding Act.

It cannot be too deeply lamented, that the authors of this enactment (excellent as it is in most of its provisions) should have departed from the enlightened views of prison discipline contained in the Acts of the 19, 22, and 25 Geo. III., to which we have referred; and that, instead of adhering to the plan of individual separation, which was so strenuously advocated by the early reformers of prison discipline, as the only means of preventing the corrupt intercourse of prisoners, and which had proved so successful, the framers of this statute should have had recourse, as a substitute, to the division of prisoners into classes. By the 10th section, rule 16, it is enacted, "That the male and female prisoners shall be confined in separate buildings or parts of the prison, so as to prevent them from seeing, conversing, or holding any intercourse with each other; and the prisoners of each sex shall be divided into distinct classes, care being taken that prisoners of the following classes do not intermix with each other:—In gaols, first, debtors and persons confined for contempt of court on civil process; second, prisoners convicted of felony; third, prisoners convicted of misdemeanors; fourth, prisoners committed on charge or suspicion of felony; fifth, prisoners committed on charge or suspicion of misdemeanors, or for want of sureties. In houses of correction, first, prisoners convicted of felony; second, prisoners convicted of misdemeanors; third, prisoners committed on charge or suspicion of felony; fourth, prisoners committed on charge or suspicion of misdemeanors; fifth, vagrants. Such prisoners as are intended to be examined as witnesses on behalf of the Crown, in any prosecution, shall also be kept separate in all prisons and houses of correction."

Since the passing of this Act, the scale of classification which it prescribes has been generally observed, at least in the county prisons. We have now, therefore, had the experience of several years as to the effect of classification in preventing moral contamination. And what, we ask, are the results? Are the gaols of this country no longer subject to the reproach of rendering more criminal those whom they ought to correct, and of demoralizing those whom they should reform?

* Reports of the "Society for the Improvement of Prison Discipline, and for the Reformation of Juvenile Offenders," 1816-1832.

To this inquiry we answer that, with scarcely an exception, the prisons throughout the country inspire no salutary nor permanent dread, and afford, especially in regard to untried prisoners, as great facilities for the corruption of their inmates as they did prior to the passing of this Act. We can be at no loss to ascertain the causes of this failure. And first, we would ask upon what principle is the classification of prisoners to be regulated, in order to prevent contamination? If by the technical character of the imputed offence, it is certain that, as crimes differing widely in magnitude are classed under general terms, prisoners of every variety of character must necessarily be placed together. Even were this not the case, the inefficiency of classification would be apparent from the fact, that many who have been before in prison for serious crimes are subsequently liable to be associated, on their commitment, with persons innocent of the crime imputed to them, and with young and inexperienced offenders.* If, again, the classification proceed on an assumed knowledge of character, by what means can such knowledge be attained? In the consideration of this question, these evident truths seem not to have had their proper weight. First, that moral guilt is not the immediate subject of human observation; nor, if discovered, is it capable of being so nicely appreciated as to enable us to assign to each individual who may be infected with it his comparative place in the scale; and, if it could be discovered, it would appear that no two individuals would be found contaminated in the same degree. Secondly, that if these difficulties could be surmounted, and a class formed of individuals who had advanced exactly to the same point, not only of offence, but of moral depravity, still their association would produce a further progress in both. It is not in human nature that the mind should be stationary; it must advance in virtue or in vice. Nothing promotes this progress so much as the emulation created by society; and from the nature of that society it will receive its direction. Hence every association of convicts will, in a greater or less degree pervert, but can never reform those of whom it is composed; and we are brought irresistibly to the conclusion that classification, once admitted to be useful, is so in an inverse proportion to the numbers of which each class is composed. We cannot, therefore, wholly escape the evils of communication, unless we effect the complete separation of prisoners from each other.†

To counteract the evils of association in classes, a system has been adopted under which, although prisoners are placed together, they are strictly prohibited by severe punishments, from holding any communication with each other by words, signs, or even looks. This discipline is known by the name of the "silent system;" and as this plan of prison government, and that of individual separation, excite at this time considerable attention, we proceed briefly to state the principal features of the respective systems, and the grounds on which we consider the

* "I gave up my idea of the value of classification, on seeing a person who was tried for murder and escaped on a point of law, a few days afterwards associated with the cases for assault."—(*Evidence of Samuel Hoare, Esq., before the Prison Committee of the House of Lords.*)

† Third Report of Home Inspectors of Prisons, p. 33.

superiority of the separate system to be established. The silent system fails to prevent mutual intercourse. Under the most vigilant superintendence communications may be carried on by signs, and in a low tone of voice. The knowledge of this fact acts as a spur and incentive to the prisoner's ingenuity, and he is thus encouraged to have recourse to fraud and artifice to evade the prison regulations. The means by which alone the system can be enforced are objectionable, inasmuch as its maintenance depends on the infliction of numerous punishments. These punishments consist in the reduction of food, confinement in dark and ill-ventilated cells, and extra hard labour. The prisoner feels that these sufferings and privations are extra-judicial, that they are over and above the punishment to which he was sentenced by the Court; and hence arise continual irritation, and a strong sense of being subjected to injustice and oppression. Upon the untried prisoner the discipline operates with peculiar hardship. His thoughts, instead of being directed to the preparation of his defence on his approaching trial, are necessarily occupied in learning and obeying the prison regulations, and in endeavouring to avoid the punishments which, from want of attention, he is at any moment liable to incur. The silent system is opposed to the reformation of the prisoner. The close and constant watch to which every act and even look is subjected, the mental irritation produced by the dread or infliction of punishment, have a powerful tendency to banish reflection, prevent self communion, and to close the heart against religious impressions.

The daily assembling of prisoners in sight of each other, notwithstanding that silence may be strictly enforced, exposes them to recognition on their discharge. Reformation is thus discouraged. A man unjustly accused may be ruined for ever in his reputation from the mere circumstance of being placed for a period, however short, with depraved associates. The evils of recognition are encountered, also, by the offender who may be led to repent of his crimes, and may desire to return to honest courses; for, on his discharge, he is liable to constant exposure from his prison companions. Again, the power of recognition operates most injuriously in the case of the hardened convict resolved to persevere in crime. Among such characters acquaintanceship by sight soon ripens into intimacy on leaving the prison, and leads to results alike mischievous to the offender and to the best interests of society. From these objections the system of individual separation is wholly free. Nothing can be more unfair than to confound that system with the ideas which are generally attached to the term "solitary confinement." Separate confinement differs from solitary confinement both in its nature and design. Solitary confinement is universally and correctly understood to be a condition of as unmitigated, uninterrupted seclusion from human society as is practicable, often in dark or gloomy cells of small dimensions, ill-ventilated, often damp, and destitute of those accommodations necessary for the prisoner's convenience, his diet being generally restricted to mere bread and water. Separate confinement is totally different in its nature from this. It differs from it in the following particulars:—In providing the prisoner with a well-lighted and well-ventilated apartment, instead of immuring him in a confined, ill-ventilated, and dark

cell;—in providing the prisoner with everything that is necessary for his cleanliness, health, and comfort during the day, and for his repose at night, instead of denying him these advantages;—in supplying him with sufficient food of wholesome quality, instead of confining him to bread and water:—in alleviating his mental discomfort, by giving him employment; by regular visits of the officers of the prison, of the governor, surgeon, turnkeys, or trades instructors, and particularly of the chaplain, instead of consigning him to the torpor and other bad consequences of idleness, and the misery of unmitigated remorse, resentment, or revenge;—in separating him from none of the inmates of the prison, except his fellow-prisoners, instead of cutting him off, as far as may be, from the sight and solace of human society;—in allowing him the privilege of attending both chapel and school, for the purpose of public worship and education in class (securing on these occasions his complete separation from the sight and hearing of his fellows), instead of excluding him from divine service and instruction;—in providing him with the means of taking exercise in the open air whenever it is proper and necessary, instead of confining him to the unbroken seclusion of his cell. Separate confinement also differs from solitary confinement in its object. The object of separate confinement is the permanent moral benefit of the prisoner; an object which he can plainly see that the system has in view. The object of solitary confinement is solely to punish the prisoner, principally for violating the prison regulations, and that, too, by means always harsh and severe, and often vexatious and exasperating; and this, not to effect a lasting moral benefit to himself, but to uphold the prison discipline at the price of severe bodily and mental suffering.

Under the separate system, an appeal is made to the moral sense and understanding of the prisoner: he is treated as a man, and with the respect and benevolence due to humanity, even in its lowest debasement. Under solitary confinement, on the other hand, the offender is treated as a being divested of the common rights, capacities, and feelings of human nature. It is upon his corporeal frame that the punishment is designed to act; no attempt, or but little, is made to appeal to his reason and conscience. This treatment tends to harden, provoke, and brutalise; whereas the other is fitted and designed to induce reflection, kindliness, gratitude, and amendment. In short, separate confinement is the separation of each offender from all communication and association with his fellow offenders, regard being had to his bodily health, his mental sanity, his intellectual improvement, and his amendment, by inculcating industrious habits, and by religious and moral instruction. Solitary confinement is the seclusion of the prisoner, as far as is practicable, from all human society, attended with privations both bodily and mental, which are intended merely to inflict punishment, to subdue obstinacy of temper, and to uphold authority by the operation of pain and fear. It employs harsh measures to effect a temporary purpose.*

The application of the separate system to the untried has been opposed on the ground of its presumed severity. But by well-regulated minds, the seclusion would be felt as a boon and a protection. The

* Third Report of Home Inspectors of Prisons, p. 13.

prisoner enjoys the privilege of seeing his friends; has every facility for consulting with his legal adviser; sends and receives letters; is permitted to have unobjectionable books; receives suitable articles of food; has the option of any employment that can be conveniently furnished to him; he is exempted from all discipline that is calculated to create irritation; he is tempted to commit no violation of prison rules; and he is consequently, in a great measure, spared the infliction of prison punishments: he is exposed to no quarrels with, and he is protected from the assaults of, his fellow prisoners: his mind cannot be demoralised by the relations of the burglar, nor by the language of the blasphemous and obscene.

But although, to the untried, separate confinement is a privilege; yet, when strictly enforced, and divested of all indulgences, it becomes the most efficient and salutary of all punishments. The convict is confined alone, by day and by night; in a cell fitted up with every convenience essential to ensure ventilation, warmth, cleanliness, and personal exercise. Whatever is necessary for the preservation of the prisoner's health is strictly attended to; but no indulgence, in any shape, is extended. The distinctions observed in the treatment of the untried and convicted are broad and definite. It has been seen that, under this system, the untried are permitted to receive visits from their connexions; the convicted are prohibited from this intercourse: the untried may also communicate with their friends by letter; the convicted have no such privilege: the untried are allowed to receive food beyond the prison diet; the convicted are rigorously restricted to the prescribed ration: with the untried, employment is optional; upon the convicted, a daily task of labour is imposed.

The advantages of individual separation are not merely of a preventive character. It not only renders corrupt intercourse impracticable, but it affords to the prisoner direct and peculiar facilities for reflection and self-improvement. In the retirement of the cell, the prisoner is not only cut off from the means of being rendered a worse, but he is placed in a situation in which he may become a better, man. He has the most favourable opportunities of promoting his own moral and religious improvement: he is furnished with the Holy Scriptures, visited by a minister of religion, has the privilege of attending public worship, and is provided with books adapted to his situation. Nor are the benefits of the system limited to the period of his imprisonment. It is one of the most distinctive features of that system, to prohibit each prisoner, during the whole term of his confinement, from seeing another prisoner. Thus, exposure to recognition, on the return of the prisoner into society, is wholly prevented.

If it be alleged that this discipline is unsafe, and unreasonably severe, it is only necessary, in reply, to refer to those prisons in which the separate system has been most extensively and for the longest period enforced. The system has now been in successful operation at the Eastern Penitentiary in Philadelphia for nine years. In the last official Report of this penitentiary, the inspectors state, "that there are some prisoners now in this institution, who have been in confinement for eight years, some six, and some four years, and all of them in good health. Among the healthiest prisoners are those who have been

the longest time in prison; and not a single instance of mental derangement, it is believed, has been caused by separate and solitary confinement."

This penitentiary, as well as other prisons on the separate system in the United States, has been subjected, in its principles, details, and results, to the minute personal investigation of commissioners sent from France, England, and the Canadas; and these gentlemen have concurred indeclaring themselves decidedly in favour of the system. The views which have been given of the advantages of separate confinement have been adopted by Her Majesty's Government, as will appear from the following extract of a letter, addressed in August 1837, by the Secretary of State (Lord John Russell) for the Home Department, to the magistrates assembled at quarter sessions of the peace, and to the justices of boroughs:—

"I proceed to lay before you the grounds upon which I am disposed to concur with the Home Inspectors, in the opinion that any new prisons to be erected should be constructed with a view to separate confinement.

"The plan which has of late years been most generally adopted, in order to prevent the evils of contamination, proceeds on the principle of separation at night, and strict silence during the hours of labour. This plan is subject to the following objections:—

"1. It requires numerous punishments in the gaol. You will observe, from the Report of the Coldbath Fields prison, and from that of the Wakefield House of Correction, contained in the Report of the Inspectors of the Northern District, that these punishments are large in number, and exceedingly vexatious in their nature. This practice is of itself a strong objection to the plan: it varies the punishment unequally in different cases; and the imprisonment contemplated by the sentence is thus aggravated by the infliction of fresh penalties.

"2. A feeling of continual irritation is kept up, both by the observance of the rule, and by the punishment for its violation. Persons confined in a prison should, if possible, be reduced to a quiet and submissive state, whereby they may at leisure reflect on the evil of the course they have pursued, and some chance be afforded of their reformation; instead of this, prisoners confined in society, and not debarred from communication, are invited, as it were, to a perpetual battle with authority, and go out of prison provoked rather than subdued by the punishment they have undergone.

"3. The low diet, which is one of the punishments frequently inflicted, has often an injurious effect on the health, while it does not prevent a repetition of the offence.

"4. This system cannot be kept up without perpetual vigilance on the part of a very numerous body of keepers. The system is therefore combined, almost of necessity, with the very injurious practice of employing prisoners as wardsmen; by which means, a person convicted of crime, and degraded by the sentence of imprisonment, is immediately placed in a situation of power and authority, and considered as worthy of trust and indulgence. Besides this anomaly, so contrary to all notions of prison discipline, the practice alluded to gives rise to much intrigue and favouritism, every prisoner being anxious to obtain the

place of wardsman, and, when so employed, dispensing favour to those of the convicts with whom he has the most intimate connexion.

"For these reasons, and others, I am disposed to believe that the silent system, if fully carried into effect, would be attended with much evil. But there are, in fact, very few prisons where the vigilance and activity of the governor of the prison have been such as to make the system really effective; and in all such cases, while noise and uproar are repressed, contamination exists to the most pernicious degree.

"I should therefore be anxious to see the system of separation adopted in all new prisons, and, as far as it is practicable, in those already constructed; but great care must be taken, when this system is put into operation, not to confound separate with solitary confinement.

"It is generally understood that solitary imprisonment implies confinement in a gloomy and narrow cell, without occupation, and with a diet of bread and water only. Separate confinement, as recommended by the Inspectors of the Home District, means, on the other hand, confinement in large, airy, light, well-warmed, and ventilated cells, with moral and religious instruction, regular employment, and the daily visits of the chaplain and officers of the prison, as well as of those engaged in the instruction of the prisoners.

"It is obvious that this system of confinement would be subject to a very unfair experiment, if it were tried where there do not exist the means of setting apart cells of proper dimensions and wholesome ventilation; or, if the prisoners so confined should be left, without employment or instruction of any kind, to brood over their melancholy condition.

"Where, however, these precautions can be observed, and are properly attended to, there can be no reason to doubt that, whatever be the result with respect to the more hardened offenders, opportunity will be given for saving, from a course of crime and disgrace, those young and casual offenders, whose previous good character is a proof that their crimes are not the result of confirmed habits. According to the system still too generally prevalent, such offenders, in being sent to gaol, are in fact sent to a school where elaborate instruction is given for the violation of the laws, and where the sense of shame is destroyed by the number and confidence of guilty companions. By the regulations of the separate system, such persons would be strictly separated from all other criminals, would have the means of repenting of their offences, and, when discharged, would not be liable to be claimed and recognised by convicts who had been inmates with them in the same prison.

"Having described the respective systems of prison discipline which now claim the attention of the public, it remains for us but to state, that the present condition of the prisons throughout the kingdom, is such as to call for immediate amendment. There exists in their management a lamentable want of system and uniformity. Whether the prisoners are indiscriminately placed together, or classed agreeably to the provisions of the law, the evils consequent upon association almost universally prevail. Idleness in the case of the untried is a prolific source of demoralisation. Silence, although nominally enjoined upon the convicted, is in but few cases rigidly enforced. In many prisons several prisoners are crowded at night in small apartments;

and moral and religious instruction, when attended to, is generally administered under such unfavourable circumstances, arising from the association of the prisoners, as to be productive of little or no benefit. The consequences of this laxity and neglect are, that the most important objects of criminal justice are frustrated; imprisonment inspires the offender at large with no salutary dread; while its effect on those in confinement is to vitiate rather than deter, and harden rather than reform.

"Until, however, prisons are conducted on the principle of individual separation, no material improvement can take place in their regulation and discipline. The existing plans, whether those of indiscriminate association, classification, or silence, are radically vicious. The errors of those plans are far too important, and too deeply seated, to be removed by modifications or palliations of any description. The great master evil is association, and the remedy is only to be found in the entire separation of prisoner from prisoner.

"By the 5 & 6 Will. IV. c. 38, s. 5, it is enacted, that all rules and regulations for the government of prisons are to be submitted to the Secretary of State for the Home Department, who may, if he thinks fit, alter them, or make additional rules; and no rules can be legally enforced until the Secretary of State shall have subscribed a certificate or declaration that they are proper to be enforced. In case the clerks of the peace neglect to submit the regulations to the Secretary of State, agreeably to the provisions of the statute, he may certify such rules as he may deem proper for the government of such prisons. By this Act, also, power is given to the Secretary of State to appoint inspectors, not exceeding five, to visit and report upon the several prisons. The inspectors are required to submit their reports annually to the Secretary of State, and copies of them are to be laid before Parliament."

The foregoing article was written for the former edition of this work, by Mr. Crawford, one of the Inspectors of Prisons. But though the system of separation which he so strongly recommends still preserves its ascendancy, it may be doubted whether it really deserves all the commendation it has met with. It has been affirmed, in statements said to be founded on experience, that the tendency of the system is to weaken the intellects of those subjected to its operation; to render insanity frequent; and to unfit those who do not become insane for that intercourse with the world which they have to sustain when their imprisonment is at an end. And such we should think, on general grounds, must be the case. Those for whom everything is done, and who rarely see any one but their keepers, or those visitors by whom they are stared at as if they were wild beasts in a menagerie, and who have nothing to do but to perform the same routine tasks, can hardly fail to become little better than machines, and to lose all or most part of their bodily, as well as their mental vigour. And, on the whole, we should be inclined to think, notwithstanding the difficulties in the way of classification, that it is preferable to the separate system.

We incline, also, to think that a great deal too much has been and is expected from prison discipline; and that it has been rendered less severe and irksome than is expedient. A prison should be not merely a place for the safe custody, but also for the correction and chastisement

of such of its inmates as have been convicted of crimes deserving thereof, or who may have misconducted themselves within its walls. And this correction and the whole discipline of the prison should be such as to make a committal to it after conviction truly a punishment, of which those that are most reckless should entertain a salutary horror. This, however, is not the case at present. Prisons have in very many instances more of the character of schools and workhouses than of penal and correctional repositories. They have, in consequence, not so much a floating as a resident population; and we hear every day of offences being committed, merely that those who commit them may be sent back to prison! There can in truth be no doubt that of late years our legislation in penal matters has inclined too much to the side of leniency; and this has been particularly the case in all that respects prisons. No one of course objects to everything being done that is practicable to preserve the health, bodily and mental, of those that may be committed to them. But the best interests of society require at the same time, that the privations and the discipline of prisons should be such as to make them be abhorred by all classes of evil-doers.

Exclusive of the Penitentiary at Millbank, a model prison on the separate system has been constructed on a very large scale at Pentonville, one of the suburbs of the metropolis; and others have been, and are in course of being, opened in different parts of the country.

The number of prisoners in gaol varies of course with the varying circumstances that contribute to the increase or diminution of crime; but it is always very considerable.

The two following tables show the number of prisoners before and after trial at assizes and sessions in England and Wales, during each of the five years ending with 1843, with the periods for which they were imprisoned, &c.:—

I.—*Table showing the Terms of Imprisonment of the Prisoners before Trial, at Assizes and Sessions, in England and Wales, with the Proportions per Cent. which the several Classes of Prisoners, distributed according to the Terms of their Imprisonment, bear to the whole Number of Prisoners during each of the Five Years ending with* 1843.

Years.	Under 14 Days.		14 Days and under 1 Month.		1 Month and under 2 Months.		2 Months and under 3 Months.		3 Months and under 6 Months.		6 Months and upwards.	
	Number of Prisoners.	Per Cent. of Total Imprisoned.	Number of Prisoners.	Per Cent. of Total Imprisoned.	Number of Prisoners.	Per Cent. of Total Imprisoned.	Number of Prisoners.	Per Cent. of Total Imprisoned.	Number of Prisoners.	Per Cent. of Total Imprisoned.	Number of Prisoners.	Per Cent. of Total Imprisoned.
1838	9,205	37·6	5,755	23·6	5,547	22·7	3,065	12·5	756	3·1	125	·51
1840	9,597	36·4	6,703	25·4	6,090	23·1	2,895	11·0	915	3·5	151	·57
1841	8,600	34·7	6,175	24·9	6,286	25·3	2,821	11·4	791	3·2	120	·48
1842	9,985	34·8	7,313	25·5	6,871	23·9	3,239	11·3	1,052	3·7	223	·78
1843	9,672	35·3	6,740	24·7	6,497	23·7	2,880	10·6	1,247	4·5	328	1·2

II.—*Table showing the Terms of Imprisonment of Convicted Prisoners, or of Prisoners after Trial, at Assizes and Sessions in England and Wales, with the Proportions per Cent. which the several Classes of Prisoners, when distributed according to the Terms of their Imprisonment, bear to the whole Number of Prisoners during each of the Five Years ending with* 1843.

Years.	Under 1 Month.	Per Cent. of Total Imprisoned.	Between 1 and 3 Months.	Per Cent. of Total Imprisoned.	Between 3 Months and 1 Year.	Per Cent. of Total Imprisoned.	Above 1 Year.	Per Cent. of Total Imprisoned.
1839	2,190	15·7	3,569	25·5	6,675	47·7	1,551	11·1
1840	2,147	13·3	3,956	25·4	7,411	47·5	2,078	13·8
1841	2,248	14·3	4·265	27·	7,627	48·4	1,617	10·3
1842	2,319	12·7	4,942	27·	8,908	48·7	2,104	11·5
1843	2,179	12·6	4,771	27·6	8,359	48·4	1,939	11·2

But by far the greatest number of prisoners consists of those committed to gaol under summary convictions for offences against the game laws, the revenue laws, the Bastardy Act, the Vagrant Act, the Malicious Trespass Act, &c. This will be seen from the following statements:—

Table showing the Total Number of Male and Female Prisoners, classed according to their Offences, under Summary Convictions in England and Wales during the Five Years ending with 1843.

Years.	Military Prisoners.	Under the Game Laws.		Under the Revenue Laws.		Under the Bastardy Laws.		Under the Vagrant Act.		Under the Malicious Trespass Act.		Under the Larceny Act.	
	Male.	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.
1839	1,663	2,457	5	459	32	217	11	10,467	6,890	2,137	545	2,292	497
1840	2,042	2,543	2	455	30	169	6	11,731	7,752	2,233	586	2,448	580
1841	1,874	2,830	4	507	45	110	3	11,038	7,539	2,366	624	2,134	409
1842	2,090	3,623	6	635	67	61	1	14,147	6,741	2,975	816	2,726	444
1843	2,157	4,342	6	697	79	40	2	15,201	6,924	3,205	779	1,894	210

Years.	Under Metropolitan Police Act.		For Assaults.		For Want of Sureties.		Reputed Thieves.		All not before Included.		Total of each Sex.		Grand Total.
	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.	
1839	1,059	758	6,254	1,098	2,985	686	3,751	697	2,834	3,056	48,280	14,175	57,455
1840	1,326	892	7,462	1,347	2,253	489	4,565	941	10,665	3,492	47,962	16,017	63,979
1841	2,265	1,036	7,960	1,423	2,460	486	4,523	761	9,534	3,317	47,629	15,607	63,236
1842	1,963	951	8,661	1,535	2,749	518	4,233	695	10,651	3,852	54,784	15,723	70,507
1843	2,643	1,059	9,080	1,505	3,020	684	3,748	612	11,639	3,996	57,361	15,835	73,196

Table showing the Terms of Imprisonment of the Prisoners under Summary Convictions in England and Wales, in each of the Five Years ending with 1843, *with the Proportions per Cent. which the several Classes of Prisoners, when distributed according to the Terms of their Imprisonment, bear to the whole Number of Prisoners.*

Years.	Under 14 Days.		14 Days and under 1 Month.		1 Month and under 2 Months.		2 Months and under 3 Months.		3 Months and under 6 Months.	
	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.
1839	10,452	18·2	13,259	23·1	19,607	34·1	6,666	11·6	6,457	11·2
1840	11,879	18·6	14,661	22·9	21,787	34·1	7,230	11·4	7,185	11·2
1841	13,074	20·7	14,918	23·6	21,111	33·4	6,953	11·0	6,103	9·6
1842	15,888	22·5	17,789	25·2	21,691	30·8	7,649	10·9	6,165	8·7
1843	16,058	21·9	18,431	25·2	22,959	31·4	7,862	10·7	6,453	8·8

Years.	6 Months and under 1 Year.		1 Year and under 2 Years.		2 Years and upwards.		Unlimited Terms of Imprisonment.		Whipped, Fined, or Discharged on Sureties.	
	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.	Number of Prisoners.	Per Cent. of Total Convicted.
1839	764	1·3	181	·31	3	·01	66	·11	..	..
1840	707	1·1	148	·23	3	·01	329	·51	..	..
1841	713	1·1	128	·20	1	·002	224	·35	71	·11
1842	736	1·1	169	·25	8	·01	208	·30	144	·20
1843	937	1·3	173	·24	7	·01	194	·27	123	·17

Scotch Prisons.—Down to a comparatively recent period the prisons of Scotland were in an extremely bad state. They have, however, been materially improved since 1826, when their state was inquired into, and the abuses by which they were infected exposed, by a Com-

mittee of the House of Commons. At present they are principally conducted under the provisions of an Act passed in 1839, the 2 and 3 Vict., c. 42. This statute established a General Prison Board, which has its seat in Edinburgh: it consists partly of members holding their seats *ex officio*, and partly of others nominated by the Crown. This Board makes rules, subject to the revision of the Secretary of State for the Home Department, for the government of prisons and prisoners, and makes annual reports of its proceedings. The immediate management and control of all county prisons (excepting that near Perth) is vested in County Boards, chosen in the way pointed out in the Act, and governed in certain particulars by the advice of the General Board. The cost of providing for prisons and prisoners is defrayed by a general rate on property.

A central prison, on a large scale, under the exclusive control of the General Board, is established near Perth; a building formerly used as a depôt for French prisoners having been fitted up for that purpose. Prisoners are sent to this prison from all parts of Scotland. It is conducted on the separate system, which is either introduced, or to be introduced where practicable, into all the gaols in Scotland. The Scotch prisons are regularly inspected by an officer appointed by Government for the purpose.

The Glasgow bridewell is one of the best-managed prisons in the country, according to the present separate system, of which it affords a very favourable specimen. It is one of the "lions" of the town, and is visited almost every day by strangers. The prisoners occupy well-aired, well-lighted, comfortable cells, in which they are employed in their respective trades, and their health is said to be improved rather than injured by their detention. But the result that every man of sense, not under the influence of the merest prejudice, might have anticipated, has taken place. Confinement in the bridewell has, in great measure, ceased to be regarded in the light of a punishment; and crimes are every now and then committed by individuals who have been dismissed from it, that they may get back to their old quarters! It is absurd to call such a place a bridewell or a penitentiary; it acts as an incentive to crime, and not as a means of correcting criminals; and is, in fact, neither more nor less than a public nuisance. And yet we are to have similar edifices opened in every great town in the empire; and the management of the Glasgow bridewell is to be held up as a model for their imitation! We subjoin—

I. *An Account of the Average Daily Number of Prisoners confined in the Prisons of Scotland during each of the Six Years ending with* 1845.

Years.	Civil Prisoners.			Criminal Prisoners.		
	Males.	Fem.	Total.	Males.	Fem.	Total.
1840	98	10	108	1,264	676	1,940
1841	90	7	97	1,222	742	1,964
1842	88	6	94	1,557	865	2,422
1843	84	6	90	1,499	789	2,288
1844	83	5	88	1,492	766	2,258
1845	69	5	74	1,323	769	2,052

II. *An Account showing the Number of Prisoners sentenced to Imprisonment for Six Months and upwards in Scotland, during each of the Six Years ending with* 1845, *distinguishing between Males and Females, and between the Terms for which they were Sentenced.*

Years.	Total Sentenced for 6 Months and upwards.			Of whom, Sentenced to					
				6 Months and under 12 Months.			12 Months and upwards.		
	Males.	Fem.	Total.	Males.	Fem.	Total.	Males.	Fem.	Total.
1840	359	159	518	162	69	231	196	90	286
1841	378	183	561	154	70	224	224	113	337
1842	516	275	791	205	108	313	310	167	477
1843	531	237	768	268	121	389	263	116	379
1844	577	251	828	308	141	449	269	111	380
1845	466	287	753	256	167	423	210	120	330

Irish Prisons.—The statute 7 Geo. IV., cap. 74, "for the better Regulation of Prisons in Ireland," was framed on the basis of the English Gaol Act. This statute vested a power in the Irish government of appointing two inspectors-general, whose duty it is to visit the prisons of Ireland, to suggest improvements in their construction and regulation, and to report annually to government on their condition. The grand juries of each county and city are also required to appoint a board of superintendence and a local inspector, whose duty it is to visit the prison twice, at least, in every week. Much benefit has been derived from the adoption of these measures. Before the Act in question, the gaols were in a deplorable condition, but various improvements have since been effected. Tread-wheel labour and employments of various kinds have been introduced into several county prisons; and increased attention is paid to moral and religious instruction. To comply with the provisions of the Act, it was found necessary to build new gaols in several counties, and to enlarge others. Many of the small bridewells and prisons belonging to local jurisdictions have been abolished in pursuance of the statute.

In Ireland there are 42 county and city goals, and 106 houses of correction and bridewells. The expenses of the former amounted, in 1845, to 75,658*l.*

I. *Return of the Number of Prisoners confined in the Gaols of Ireland on 3rd December,* 1845.

Number of Debtors.		Number of Male Criminals.		Number of Female Criminals.		Number of Prisoners Sick in Hospital.	Number of Lunatics.	
Males.	Females.	Tried.	Untried.	Tried.	Untried.		Males.	Females.
340	41	1,467	713	655	322	211	263	139

II. *Account showing the average daily Number of Prisoners confined in the different Gaols of Ireland in* 1845; *the total Number confined in the Year, Debtors included; and the Number of Recommittals.*

Daily Average Number Confined.	Total Confined in the Year, Debtors included.	Number of Recommittals.				
		Once.	Twice.	Thrice.	Four Times.	Total.
$4,329\frac{113}{504}$	46,099	1,770	1,214	724	1,118	4,826

CHAPTER V.—Changes of Food, Clothing, and Lodging. Classification and Income of the People.

To enter fully into the consideration of these interesting subjects would require not a short chapter, but a large volume. The real influence and practical operation of improvements in the arts and sciences are to be measured by their influence over the condition of the great bulk of the people; and, tried by this test, it will be found in Great Britain, as in most other countries, that they have been singularly advantageous. The comforts of *all* classes have been wonderfully augmented within the last two centuries. Probably, however, the labouring orders have been the principal gainers, as well by the large numbers of them who have succeeded in advancing themselves to a superior station, as by the many additional comforts that now fall to the share even of the poorest individuals. From the age of Henry VII. improvement in England has, a few short intervals only excepted, been pretty uniformly progressive; and though various circumstances have of late years conspired to check this advance, they would seem on the whole to have been counterbalanced or overcome. The vigorous and selfish policy of Henry, assisted, no doubt, by the course of events, subverted the foundations of the feudal system, and provided for the exaltation of the Crown and the law upon the ruins of the feudal nobility. The Reformation in the next reign, the rise of foreign commerce in the reign of Elizabeth, and the foundation of the colonies in North America and the West Indies in the reign of James I., gave a stimulus to industry and improvement which even the civil wars could not countervail; but which did not receive its full development till after the Restoration, or rather till after the peace of Paris in 1763. Without going farther back, we may mention, in proof of the disorderly and wretched state of the population in the early part of the sixteenth century, that Harrison tells us (*Description of Britain*, p. 186) that 72,000 "great and petty thieves were put to death during the reign of Henry VIII." This account of the disorderly state of the kingdom, at the period in question, is corroborated by a statement preserved by Strype, written by an eminent justice of Somersetshire in 1596, wherein it is stated that "Forty persons had been executed (in that county), in a year, for robberies, thefts, and other felonies; 35 burnt in the hand; 37 whipped; 183 discharged: that those who were discharged were most wicked and desperate persons, who never could come to any good, because they would not work, and none would take them into service: that, notwithstanding these great number of indictments, the fifth part of the felonies committed in the county were not brought to trial; and the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or the foolish lenity of the people: that the rapines committed by the infinite number of wicked, wandering idle people were intolerable to the poor countrymen, and obliged them to a perpetual watch of their sheep-folds, pastures, woods, and corn-fields: that the other counties of England were in no better condition than Somersetshire; and many of them were even in a worse: that there were, at least, 300 or 400 able-bodied vagabonds in every county, who lived by theft or rapine,

and who sometimes met in troops to the number of 60, and committed spoil on the inhabitants; that, if all the felons of this kind were reduced to good subjection, they would form a strong army: and that the magistrates were awed, by the associations and the threats of confederates, from executing justice on the offenders."—(*Strype's Annals*, vol. iv. p. 290.)

These disorders were partly, no doubt, occasioned by the dissolution of the monasteries, the consolidation of small farms, and, more than either or both of these causes, by the depreciation of the value of money, caused by the discovery of the American mines, and the enfeebling of the standard by Henry VIII. The necessity of providing some remedy for these aggravated disorders, or rather for obviating the poverty and destitution in which they mainly originated, led to the final establishment of the poor laws. But independently of the accidental circumstances now adverted to, the condition of the great bulk of the people in the sixteenth century was the most depressed imaginable. "The bread throughout the land," says Harrison, who wrote in the reign of Elizabeth, "is made of such graine as the soil yieldeth; neverthelesse the gentilitie commonlie provide themselves sufficientlie of wheat for their owne tables, whilest their household and poore neighbours, in some shires, are inforced to content themselves with rie or barleie; yea, and in time of dearth, manie with bread made either of bran, peason, or otes, or of altogether, and some acorns among; of which scourge the poorest doe soonest tast, sith they are least able to provide themselves of better. I will not saie that this extremitie is oft so well to be seene in time of plentie as of dearth; but, if I should, I could easilie bring my triall."—(*Description of England*, p. 168.)

Sir F. M. Eden, whose elaborate researches have thrown much light on this subject, truly states that the substantiality of diet, for which the sixteenth century is renowned, was confined chiefly to the tables of persons of rank. "A maid of honour, perhaps, breakfasted on roast beef; but the ploughman, in these good old times, as they are called, could, I fear, only banquet 'on the strength of water gruel.'"—(*State of the Poor*, vol. i. p. 116.)

But, if their provisions were coarse and deficient, their clothing and lodging were incomparably more so. The houses, even of the rich and great, were, in the sixteenth century, mostly destitute of glass windows; and the cottages of the poor were not only universally without them, but also without chimneys! The luxury of a linen shirt was confined to the higher classes. The cloth used by the bulk of the people was mostly of home manufacture; and, compared with what they now make use of, was at once costly, coarse, and comfortless. All classes, from the peer to the peasant, were universally without many articles the daily enjoyment of which is now deemed essential even by the poorest individuals. Tea and coffee were then wholly, and sugar almost wholly, unknown; and, notwithstanding all that is said of the rude hospitality, and of the consumption of ale and beer, in these remote times, it is probable that the labouring classes consume at this moment more malt liquor than their ancestors in either the fifteenth or the sixteenth century.

The superior condition of the bulk of the people in our own times

over that of their ancestors in the periods alluded to above is, indeed, too obvious to be disputed by any one acquainted with the facts. Perhaps, however, their superior condition at the present moment, as compared with their condition a century ago, or in the reign of George II., may not be so generally admitted. But despite the countervailing influences that have been at work during the interval, the progress of improvement since the middle of last century has, excepting in a few limited localities, been even more rapid than at any former period. It will not be difficult to demonstrate this.

Mr. Charles Smith, the well-informed author of the "Tracts on the Corn Trade," estimated the population of England and Wales, in 1760, at 6,000,000, which, as we have previously seen (vol. i., 399), was pretty near the truth. He then estimated the consumers of each sort of grain, the quantity consumed by each individual, and consequently the whole consumed by man, as follows:—

Estimated Population of England and Wales.	Average Consumption of each Person.	Consumed by Man.
3,750,000	Consumers of Wheat, at 1 quarter each .	3,750,000 quarters.
739,000	,, of Barley, at $1\frac{3}{8}$,, . .	1,016,125 ,,
888,000	,, of Rye, at $1\frac{1}{8}$,, . .	999,000 ,,
623,000	,, of Oats, at $2\frac{7}{8}$,, . .	1,791,225 ,,
	Consumed by Man	7,556,350 quarters.*

Now, it will be observed, that, of the 6,000,000 of people in England and Wales in 1760, Mr. Charles Smith tells us, that no fewer than 888,000 fed on rye. But at present we are quite sure there are not 20,000 who use that species of grain. The rye eaters have universally almost been changed into wheat eaters; and, except in the county of Durham, where a mixture of wheat and rye, called *maslin*, is grown, the culture of rye is almost unknown. Nearly the same may be said of the consumption of barley. In the northern counties of England, at the middle of last century, and for long after, very little wheat was used. In Cumberland, the principal families used only a small quantity about Christmas. The crust of the goose-pie, with which every table of the county is then supplied, was, at the period referred to, almost uniformly made of barley-meal. (*Sir F. M. Eden on the Poor*, vol. i., p. 564.) But no such thing is now ever heard of, even in the poorest houses. Almost all individuals, except those who depend on potatoes, use wheaten bread, at all times of the year. It is, in fact, the only bread ever tasted by those who live in towns and villages, and mostly, also, by those who live in the country.

It has been the same in most other parts of the kingdom. In Cornwall, from 40 to 50 years ago, the small farmers, with the agricultural labourers, and those employed in the mines, almost invariably used barley; but at present they do not use it to anything like the same extent as formerly, and in many extensive districts it has been entirely

* *Tracts on the Corn Trade*, 2nd ed. p. 140.

abandoned.* The same thing has happened in Somersetshire, and in every other county where either barley or oats was formerly made use of. Wheat is now the all but universal bread-corn of England; and in some of the manufacturing towns, within the last few years, the use of the inferior sorts of wheaten bread has been a good deal restricted; and is rejected, indeed, by all but the lowest and poorest classes.

It must, however, be admitted that the introduction of potatoes, and their substitution in various parts of England, during the last five and twenty years, for bread among the labouring classes, is a formidable set-off to the progress they have made in other respects. We have already (vol. i., pp. 441–444) endeavoured to point out the injurious consequences resulting to these classes from their being principally dependent on the potato; and the state of destitution in which they are now (November, 1846) involved in most parts of Ireland, and in the western islands, too painfully confirms the truth of the statements referred to. Luckily the dependence on the potato as a principal article of food has hitherto been confined to a few districts of England and of the mainland of Scotland; but it has in the best of these, as everywhere else, been productive of the very worst results. Somerset, with portions of Hants, Dorset, Wilts, and Devon, makes one of the districts in which the potato forms a principal, or, rather perhaps, *the* principal part of the food of the labourers; and notwithstanding the fertility of the district, and the improvements that are being made in it, wages are there comparatively low, and the bulk of the rural population exceedingly depressed. And such is the case in all parts of the kingdom where the potato is not used merely as a subsidiary article. Wherever it supersedes bread, the population, though there should be no increased demand for labour, invariably increases; wages are gradually lowered; and poverty and its attendant train of evils diffuse themselves over the vicinage.

We are not, therefore, of the number of those who regard the potato rot of this and the previous year as a manifestation of the Divine wrath, and who suppose that its continuance will be ruinous to the poor. On the contrary, we do not hesitate to say that, judging of its influence in time to come by that which it has hitherto exercised, we should look upon the total extinction of the plant as a blessing, and not as an evil. The transition from an inferior and cheap, to a superior and more costly species of food, might no doubt occasion considerable inconvenience in some parts of Great Britain, while in Ireland it would be a matter of much difficulty. But this inconvenience and difficulty, how troublesome soever in the mean time, would be got over in no very lengthened period; and when the change had once been accomplished, the benefit to the country, and especially to the labouring classes, would be greater than can be easily imagined. It would not, we think, be difficult to show, that the gradually extending use of the potato has done more to depress the labourers, or, at all events, to countervail those causes that would have raised them to a higher position, than all the other unfavourable influences to which they have been exposed put together. And supposing such to be the case, it is matter for grave consideration,

* Evidence of Edward Coode, Esq., *Report of* 1833 *on the State of Agriculture*, p. 169.

provided (as is indeed most probable) the potato rot should turn out to be accidental and temporary only, whether some restrictions should not be laid on the culture of the root. The tendency to resort to the potato when it is abundant is so very strong that in the long run it is almost sure to prevail; but this resort is necessarily productive of so many evils, and places the very existence of a people in such imminent hazard, that no means should be left untried by which it may be averted.

But, as already stated, the dependence on the potato, though gaining ground, is at present principally confined to a few districts, and has elsewhere had comparatively little influence. The improvement that has taken place in the condition of the people generally, is strikingly evinced by the increase in the consumption of butchers' meat, which is even greater than the increase in the consumption of wheat. Its quality, also, has been greatly improved. From 1740 to about 1750, the population of the metropolis fluctuated very little; amounting, during the whole of that period, to about 670,000 or 675,000. Now, during the 10 years ending with 1750, there were, at an average, about 74,000 head of cattle, and about 570,000 head of sheep sold annually in Smithfield market. In 1841, the population had increased to 1,690,084, or in the ratio of about 150 per cent.: and at an average of the three years ending with 1841, 175,066 head of cattle, and 1,347,447 head of sheep were annually sold in Smithfield; being an increase of 136 per cent. on the cattle, and of exactly the same amount on the sheep, as compared with the numbers sold in 1740-50. It consequently appears that the number of cattle and sheep consumed in London has increased, since 1740, in a proportion but little inferior to the population. The weight of the animals has, however, a good deal more than doubled in the interval. In the earlier part of last century, the nett weight of the cattle sold at Smithfield did not, at an average, exceed 370 lbs., and that of the sheep 28 lbs.; whereas, at present, the average weight of the cattle is estimated at about 800 lbs., and that of the sheep at about 80 lbs. (vol. i., p. 498.) Hence, on the most moderate computation, it may be affirmed that the consumption of butchers' meat in the metropolis, as compared with the population, is more than twice as great at this moment as in 1740 or 1750.

In most other parts of the country, the increase in the consumption of butchers' meat has been even greater. In thinly peopled agricultural districts very little is consumed, but in manufacturing and commercial towns it is quite the reverse; and their vast increase during the last half century more than justifies the inference that there has been, at least, a corresponding increase in the consumption of butchers' meat.

The above statements apply only to the changes that have taken place in the condition of the people of England and Wales; but the change that has taken place in Scotland since the beginning and middle of last century has been still more striking and extraordinary. At the periods referred to, no manufactures, with the exception of that of linen, had been introduced into Scotland. Its agriculture was in the most wretched state imaginable; and the inhabitants were miserably

supplied, even in the best years, with food, and were every now and then exposed to all the horrors of famine.

The details already laid before the reader have shown the extreme prevalence of outrage and disorder in England in the sixteenth century: but Scotland was a prey to the same sort of disorders so late as the end of the seventeenth and the beginning of the eighteenth centuries. In one of the Discourses of the celebrated Scotch patriot, Fletcher of Saltoun, written in 1698, we find the following statement:—

"There are at this day in Scotland (besides a great many poor families, very meanly provided for by the church boxes, with others who by living on bad food fall into various diseases) *two hundred thousand* people begging from door to door. These are not only no way advantageous, but a very grievous burden to so poor a country. And though the number of them be, perhaps, double to what it was formerly, by reason of this present great distress, yet *in all times* there have been about 100,000 of those vagabonds, who have lived without any regard or subjection either to the laws of the land, or even those of God and nature: fathers incestuously accompanying with their own daughters, the son with the mother, and the brother with the sister. No magistrate could ever discover, or be informed which way one in a hundred of those wretches died, or that ever they were baptised. Many murders have been discovered among them; and they are not only a most unspeakable oppression to poor tenants (who, if they give not bread, or some kind of provision, to perhaps *forty* such villains in one day, are sure to be insulted by them), but they rob many poor people who live in houses distant from any neighbourhood. In years of plenty many thousands of them meet together in the mountains, where they feast and riot for many days; and at country weddings, markets, burials, and other the like public occasions, they are to be seen, both men and women, perpetually drunk, cursing, blaspheming, and fighting together."*

We suspect there must be a great deal of exaggeration in this striking paragraph; for, as Scotland did not, at the period referred to, contain more than a million of inhabitants, it is difficult to suppose, notwithstanding the peculiar distress by which she was then visited,† that 200,000 persons, or a *fifth part* of the entire population, could be given up to the mendicancy and disorders described above. But the intelligence and good faith of Fletcher are unquestionable; and there cannot be the shadow of a doubt that the disorders to which he refers were of long standing, and upon the most gigantic scale, and that he did not believe he had in any degree over-stated them. Indeed, so impressed was he by the idleness and crime then so prevalent, and by the enormities he had witnessed, that, to introduce good order and industry, he did not scruple to recommend the establishment of a system of predial slavery, to which the vagabonds in question and their children

* *Fletcher's Works*, p. 144, ed. 1737.

† The period from 1693 to 1700, emphatically termed the "*seven ill years*," was long remembered in Scotland. A scarcity continued throughout; and the severity of its pressure was such as to depopulate several extensive parishes in different parts of the country. See Vol. I., p. 421.

should be subjected! The nature of the proposed remedy shows what the disease must have been.

The establishment of schools, and of a more vigorous and impartial system of government, happily succeeded in repressing these disorders. But the people of Scotland continued, till a comparatively recent period, without manufactures or trade, and were frequently involved in the extreme of misery and destitution. The following paragraph, extracted from the old statistical account of the parish of Meigle in Strathmore, contributed by the late Rev. Dr. Playfair, of St. Andrews, may be considered as applying to the whole surrounding district:—

"Since the year 1745, a fortunate epoch for Scotland in general, improvements have been carried on with great ardour and success. At that time the state of the country was rude beyond conception. The most fertile tracts were waste, or indifferently cultivated. The education, manners, dress, furniture, and tables of the gentry were not so liberal, decent, and sumptuous as those of ordinary farmers are at present. The common people, clothed in the coarsest garb, and starving on the meanest fare, lived in despicable huts with their cattle.

"The half-ploughed fields yielded scanty crops, and manufactures scarcely existed. Almost every improvement in agriculture is of late date: for *no ground was then fallowed; no peas, grass, turnips, nor potatoes were then raised; no cattle were fattened;* and little grain was exported. Oats and barley were alternately sown; and during seven months of the year the best soil was ravaged by flocks of sheep, a certain number of which was annually sold and carried off, to be fed on richer pastures.

"The inactivity and indolence of farmers were astonishing. When seedtime was finished, the plough and harrow were laid aside till after autumn; and the sole employment of the farmer and his servants consisted in weeding the corn fields, and in digging and carrying home peat, turf, and heath for winter fuel. The produce of the farm was barely sufficient to enable the tenant to pay a trifling rent and servants' wages, and to procure for his family a scanty subsistence."

In the Highlands the situation of the inhabitants was, if possible, worse. The writer of the statistical account of the united parishes of Lochgoilhead and Kilmorish, in Argyleshire, referring to the state of the people about 1760, observes,—

"Indolence was almost the only comfort they enjoyed. There was scarcely any variety of wretchedness with which they were not obliged to struggle, or rather, to which they were not obliged to submit. They often felt what it was to want food. The scanty crops they raised were consumed by their cattle in winter and spring; for a great part of the year they lived wholly on milk, and even that, by the end of the spring and the beginning of summer, was very scarce. To such an extremity were they frequently reduced, that *they were obliged to bleed their cattle, in order to subsist some time on the blood* (boiled); and even the inhabitants of the glens and valleys repaired in crowds to the shore, at the distance of three or four miles, to pick up the scanty provision which the shell-fish afforded them. They were miserably ill-clothed, and the huts in which they lived were dirty and mean beyond

description. How different from their present situation! They now enjoy the necessaries, and many of the comforts of life in abundance; even those who are supported by the charity of the parish feel no real want."

The southern counties presented the same picture of sloth, poverty, and wretchedness. The Rev. Mr. Smith, in his Agricultural Survey of Wigtown and Kirkcudbright, published in 1810, gives, on authority of persons then living, the following details with respect to the state of husbandry, and the condition of the people towards the middle of last century:—

"Estates appear to have been broken down into very small farms; or where these were large, they were held in common by two, three, or even four different tenants, who divided the labour and produce in a proportion corresponding to their rent. These, when in tillage, were sometimes *run-rigg*, when each had his proportion allotted; sometimes the whole was ploughed, sowed, and reaped in common, and the produce divided in the field, barn, or barn-yard. Houses or sheds for the whole cattle of the farm never entered into their conception. Their cows were, indeed, not uncomfortably lodged; very often under the same roof with themselves, and sometimes without any intervening wall or partition. Their houses were commonly wretched dirty hovels, built with stones and mud, thatched with fern and turf; without chimneys; filled with smoke; black with soot; having low doors, and small holes for windows, with wooden shutters, or, in place of these, often stopped with turf, straw, or fragments of old clothes.

"The principal object of tillage was to afford straw for the winter support of the few cattle which the pasture (if such it could be called) maintained in summer. As they always overstocked, this was a difficult task; and the poor starved animals, before the return of spring, were reduced to the greatest extremities. Through mere weakness, often they could not rise of themselves. It was a constant practice to gather together neighbours to lift the cows or horses, or to draw them out of the bogs and quagmires into which they were tempted by the first appearances of vegetation.

"Nothing but the frugal penurious manner in which the peasantry then lived could have enabled them to subsist and pay any rent whatever. Their clothing was of the coarsest materials; their furniture and gardening utensils were often made by themselves; their food always the produce of their farms, was little expensive, consisting chiefly of oatmeal, vegetables, and the produce of the dairy; if a little animal food was occasionally added, it was generally the refuse of the flock unfit to be brought to market."

In the view of the Agriculture of Ayrshire, published by Colonel Fullarton of Fullarton, in 1793, we have the following details as to its state about 1760:—

"At that period there was hardly a practicable road in the county; the farm houses were mere hovels, moated with clay, having the open hearth, or fireplace, in the middle; the dunghill at the door; the cattle starving, and the people wretched. The few ditches which existed were ill constructed, and the hedges worse preserved. The

land overrun with weeds and rushes, gathered into very high, broad, serpentine ridges, interrupted with large balks, such as still disgrace the agriculture of some English counties. The soil was collected on the top of the ridge, and the furrow drowned with water. No fallows —no green crops—no sown grasses—no carts or waggons—no straw yards—hardly a potato or any other esculent root, and, indeed, no garden vegetables, unless a few Scotch kail, which, with milk and oatmeal, formed the diet of the people; with little straw and no hay, except a scanty portion of the coarsest quality collected from the bogs. The quantity of dung produced was of small avail, and that portion, little as it was, was dragged on cars or sledges, or on what were called tumbler-wheels, which turned with the axle, and supported the wretched vehicle, hardly able to carry five hundred weight. The ground was scourged with a succession of oats after oats, as long as they would pay for seed and labour, and afford a small surplus of oatmeal for the family, and then was left in a state of absolute sterility, or overrun with thistles, till rest again enabled it to produce a scanty crop."—(Quoted in *Robertson's Rural Recollections*, p. 538.)

The situation even of the Lothians was but little better. We have already seen (vol. i., p. 585) that, so late as 1757, neither turnips, potatoes, clover, nor cultivated herbage of any sort had been introduced into that district. The condition of the occupiers and of the peasantry was also exceedingly depressed. It is stated by Mr. Robertson, that, so late as 1765, mendicity in the Lothians was so very prevalent, that hardly a day passed in which farm houses were not visited by beggars, and hardly a week without some of them getting a night's lodging in the barn.—(*Rural Recollections*, p. 109.)

Such was the abject state of Scotland about the middle of last century! And we are bold to say, that the contrast between the savages by whom Kentucky was formerly occupied and its present inhabitants, is hardly greater than the contrast between the farmers and labourers of Scotland in 1770 and those of the present day. The existing Scotch farmers are distinguished by their superior intelligence and skill in agriculture, the excellence of their stock and implements, and their genteel, comfortable style of living. The labourers, too, are generally well fed and well clothed; their cottages are, for the most part, comfortable and well furnished; and they are all, with the exception of those in some parts of the Highlands who depend principally on potatoes, in the enjoyment of luxuries that formerly were never tasted even by the most extensive proprietors.

The demand for butchers' meat in Scotland has increased in the most extraordinary manner. So late as 1763, the slaughter of bullocks for the supply of the public markets was a thing wholly unknown even in Glasgow, though it had then a population of nearly 30,000! Previously to 1775, or perhaps later, it was customary in Edinburgh, Glasgow, and the principal Scotch towns, for families to purchase in November what would now be reckoned a small, miserable, half-fed cow or ox, the salted carcass of which was the only butchers' meat they tasted throughout the year. In the smaller towns and country districts this practice prevailed till the present century, but it is now

almost everywhere abandoned. The consumption of butchers' meat in Glasgow, as compared with the population, does not at present differ materially from that of the metropolis. We do not, indeed, believe that the command of the people of any country over food and all sorts of conveniences ever increased, in any equal period, half so rapidly as that of the people of Scotland has done since 1770.

Signal, however, as has been the improvement in the condition of the labouring population in most parts of England since the close of the American war, it is hardly so great as might fairly have been expected, considering the vast advances that have been made in the interval in arts and industry. But it is less difficult, perhaps, than may have been supposed to account for this anomalous result. The astonishing increase in the demand for manufacturing labour, consequent to the inventions of Hargreaves and Arkwright, was not confined to adults, but extended to young persons, and even children, of both sexes. Hence a family became in the manufacturing districts an advantage rather than a burden; and population has been increased in them, partly by the powerful stimulus thus given to marriage, and partly by immigration from other parts of Britain and from Ireland, with more than its rapidity in prosperous colonies. And this increase appears, for some years past, to have fully equalled, or, probably, gone beyond the increasing demand for labour, and has, consequently, kept wages from rising. The immigration of labourers from Ireland, which has principally taken place since steam navigation afforded an easy means of conveyance to the poorest classes, has had a powerful influence in bringing about this result, directly by adding to the number of work-people, and indirectly through the contaminating influence of their example. The latter has tended to accustom the English and Scotch labourers to a lower standard of comfort and a lower style of living. In this respect the irruption of this pauper horde has been most injurious; and next to the dependence on the potato, of which, indeed, it may be said to be a consequence, has been most prejudicial to the interests of the labouring population.

No doubt, also, there are various disadvantages, some of which appear to be not a little formidable, and not easily guarded against, incident to the great extension and improvement of manufactures. But to treat of them here would lead us into inquiries not well suited to a work of this description.*

Owing to the influence of causes which we have elsewhere endeavoured to elucidate, we doubt whether the condition of the labouring part of the population of Ireland, that is, of the great mass of its people, be materially better at this moment than when it was visited by Sir William Petty, under Cromwell. The middle class has, however, been considerably increased within the last half century: and it has shared to some extent in the improvements in which all classes of the people of England and Scotland have so liberally participated during that period.

Value of the Food annually consumed.—We have already seen

* For some remarks on the circumstances now alluded to, see *Principles of Political Economy*, by the author of this work, 3rd ed. pp. 181–188.

(vol. i., p. 573) that the yearly value of the whole agricultural produce of England and Wales, exclusive of seed, may be estimated at about 141,600,000*l.*, and that of Scotland at about 27,740,000*l.*; making a gross sum of 169,340,000*l.*; which, of course, represents the value of the various articles of agricultural produce, of native growth, annually consumed by the people of Britain; and adding to this sum 10,500,000*l.* for the annual value of the imports of food from Ireland and the continent, the entire consumption will be 179,840,000*l.*, or 180,000,000*l.* Now as the population of Great Britain may at present (1846) be estimated at about 20,000,000, (vol. i., p. 449,) we have consequently ($\frac{180}{20}$) 9*l.* for the value of the average annual consumption of each individual; and it seems to be the concurrent opinion of those best entitled to decide in respect to such subjects, that this average is not very wide of the mark.

We have estimated (vol. i., p. 573) the value of the entire annual produce of the land of Ireland at 48,200,000*l.*: and deducting from this sum 6,000,000*l.* for the values remitted in the shape of rent, to absentee proprietors, and in payment of manufactures and colonial produce, we have 42,200,000*l.* to be distributed among the resident population; which, as the latter may be taken at 8,386,000, gives about 5*l.* to each.

Improvements in Clothing.—The improvements that have been made during the last half century in the clothing and lodging of the people of Great Britain are even more remarkable than those that have been made in their food. The unparalleled abundance and cheapness of cotton goods, caused by the wonderful progress made in the cotton manufacture, have been, in this respect, of vast importance. "It is impossible," says Mr. Baines, "to estimate the advantage, to the bulk of the people, from the wonderful cheapness of cotton goods. The wife of a labouring man may buy, at a retail shop, a neat and good print as low as 4*d.* per yard; so that, allowing seven yards for the dress, the whole material shall only cost 2*s.* 4*d.* Common plain calico may be bought for 2½*d.* per yard. Elegant cotton prints, for ladies' dresses, sell at from 10*d.* to 1*s.* 4*d.* per yard, and printed muslins at from 1*s.* to 4*s.*, the higher priced having beautiful patterns, in brilliant and permanent colours. Thus, the humblest classes have now the means of as great neatness, and even gaiety, of dress, as the middle and upper classes of the last age. A country wake, in the nineteenth century, may display as much finery as a drawing room of the eighteenth; and the peasant's cottage may, at this day, with good management, have as handsome furniture for beds, windows, and tables, as the house of a substantial tradesman sixty years since."—(*History of the Cotton Manufacture*, p. 358.)

The price of most other articles of clothing has also been considerably reduced, though not in the same degree as cottons, at the same time that their fabric has been improved and beautified.

Improvements in Lodgings.—Since the middle of last century an extraordinary change for the better has taken place in the habitations of the middle, and, to a certain extent, also in those of the lowest classes. Any one must be struck with this who compares the houses

in the old streets and lanes in any of our towns, with those built within the last fifty years. The latter are, for the most part, in all respects, superior. They are constructed on a larger scale; the apartments are more spacious and lofty; they are better ventilated; and are supplied with water to an extent of which our ancestors had no idea. It is, in fact, to the better construction of houses, to the greater width of streets, and above all, to the abundant supply of water, and the effective system of under-draining that now exists, that the comparative freedom of the newer portions of our great towns from epidemical diseases, and the improvement in the health of the inhabitants, are mainly to be ascribed.

It should, however, be observed, that all, or almost all, that has been done for the improvement of towns, has been the result of the efforts of individuals or of municipal bodies, with little or no co-operation on the part of government. And hence, as stated elsewhere (vol. i., p. 699), the disgraceful condition of a large proportion of the lodgings for the poor in most part of our great towns. And this, it must be borne in mind, is not the case with those houses only that are of rather ancient date, but, also, with very many of those that are of comparatively recent construction; the speculators by whom they have been mostly built being anxious only that they should let, and not expending a farthing they could possibly avoid on anything to promote the health and comfort of the occupiers. The latter, in consequence, become the victims of diseases which extend to the other classes. And hence the expediency of the legislature directing its attention to this subject; and of its taking measures to secure the proper drainage and ventilation of all labourers' houses to be built in future, as well as to improve those already existing.

It may be truly affirmed that, with few exceptions, *all* the farm houses, offices, and cottages of Scotland have been rebuilt since 1780, and mostly, indeed, since 1800. From being the meanest and most wretched of their kind, they are now, speaking generally, well contrived, substantial, and commodious. Whether, indeed, we look to the appearance of that part of the country, or to the condition of the people, the most striking evidences of a rapid and mighty change for the better present themselves on all sides. The progress of improvement has been such as to outstrip the anticipations even of the most sanguine.

Numbers and Rent of Inhabited Houses.—We have already given (vol. i., p. 429 and 446) accounts of the number of inhabited houses in each county of England, Scotland, and Ireland, in 1841, and of the average number of persons to a house. It would be desirable to be able to specify the annual rent or value of such houses; but unluckily there are no materials for doing this with any considerable degree of accuracy.

It appears from the returns obtained under the Property Tax Act (*ante*, p. 418), that the rental of houses and *other buildings* assessed in 1842-43 amounted to 35,556,400*l.* in England and Wales, and to 2,919,339*l.* in Scotland. Little information can, however, be derived from this return, inasmuch as it confounds mills, warehouses, shops, &c., with dwelling-houses; and as the value of houses occupied by agriculturists is included in the rental of the lands.

The returns under the house duty afford some more definite information. Down to 1833 a duty was charged on all *inhabited* houses, provided they were of the value of 10*l.* a-year and upwards. Now, it appears from the population returns, that there were, in 1831, 2,850,937 inhabited houses in Great Britain, exclusive of 132,634 that were uninhabited, and of 27,327 that were being built. It farther appears, from the returns as to the house duty, that, in 1832, 442,482 houses were charged with this duty, being of the annual value of 10*l.* a-year and upwards, and producing a gross rental of 12,603,912*l.* (*Papers published by the Board of Trade*, vol. iv., p. 37.) We have no means of accurately estimating the yearly rental of the 2,408,455 houses not subjected to the tax; but we believe we may take it, at a rough average, at about 4*l.* a-house, which would give a total of 9,633,820*l.* According to this statement the rental of the inhabited houses of Great Britain would amount, in 1832, to 22,237,732*l.* a-year; and, as the rental to which houses were assessed to the house tax was very generally below the real rental, this estimate is, probably, a good deal within the mark. At present (1846) the rental of houses in Great Britain is probably not under 28,000,000*l.* a-year.

The value of houses may, perhaps, be taken, one with another, at 10 years' purchase. But, in making an estimate of this sort, or of the rental of houses, it must be borne in mind, that the value and rental of all those that are connected with agriculture are uniformly included in the value and rental of the land, and must, consequently, be deducted in forming any estimate of the total or yearly value of lands and houses taken together.

According to the population returns, there were in Ireland, in 1841, 1,328,839 inhabited houses, and 55,521 uninhabited ditto. The house tax did not extend to Ireland, so that there are no means of estimating the value of these houses. Considering, however, that a very large number of them consist of mere mud cabins, deriving almost all their value from the patches of land on which they are built, their value must be trifling indeed, compared with that of the houses of Great Britain.

Some intrepid calculators have amused themselves by framing estimates of the value of the plate, furniture, clothes, &c., belonging to individuals; but it is needless to say, that there are no data whatever whereon to construct such estimates; which are, in fact, good for nothing, unless it be to throw discredit on all statistical computations.

Distribution and Income of the Population.—We have already laid before the reader sundry statements given in the population returns for 1841, with respect to the number of families and individuals engaged in agriculture and in manufactures and commerce in Great Britain and Ireland. But it may, notwithstanding, be desirable to lay the following summary of the returns in question before the reader:—

Account of the Number of Persons, distinguishing between Males and Females, belonging to the different Divisions of the United Kingdom in 1841; *showing, also the Number of Houses in each, with the Number of Persons chiefly occupied in Agriculture, Trade, Manufactures, &c,*

	Persons.			Houses.			Occupations.		
	Males.	Females.	Total of Persons.	Inhabited.	Uninhabited.	Building.	Persons chiefly Employed in Agriculture.	Persons chiefly Employed in Trade, Commerce, and Manufacture.	All other Persons not comprised in the two preceding Classes.
England	7,327,517	7,672,637	15,000,154	2,755,710	163,077	25,704	1,157,816	2,529,073	11,313,265
Wales	447,707	463,896	911,603	183,229	10,157	1,764	103,632	90,133	717,836
Scotland	1,241,802	1,378,322	2,620,184	392,852	24,026	2,646	229,337	473,361	1,917,266
Isles in the British Seas	57,556	66,484	124,040	19,190	869	220	8,453	17,369	97,958
Army, Navy, and Merchant Seamen Afloat, &c.	187,494	163	188,453	..	..	..	..	..	188,456
	9,262,126	9,582,308	18,644,434	3,465,981	198,129	30,334	1,499,278 Families.	3,110,976 Families.	14,234,780 Families.
Ireland:—									
Leinster	963,747	1,009,984	1,973, 31	306,459	12,320	1,272	214,046	92,692	55,396
Munster	1,186,1 0	1,209,971	2,396,161	364,637	12,005	1,023	292,983	79,989	43,192
Ulster	1,161,797	1,224,576	2,386,373	414,551	21,590	626	267,799	141,801	36,105
Connaught	707,942	711,017	1,418,959	243,192	6,293	892	199,360	88,534	17,300
Total of Ireland	4,019,576	4,155,548	8,175,124	1,328,839	52,208	3,313	974,188	352,016	146,383
Total of U. K.	13,281,702	13,737,856	27,019,558	4,794,820	250,337	33,647	..	..	..

Abstract Account of the Numbers, Ages, and Sexes of the Persons in different Occupations in Great Britain. (Returned in the Census of 1841.)

	Males.		Females.		Total.	Males.		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.		20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	
	Commerce, Trade, and Manufacture.					Agriculture.				
England and Wales	1,730,122	318,434	391,761	139,383	2,619,206	1,041,960	161,697	48,450	9,921	1,261,448
Scotland	277,507	69,054	89,189	37,827	473,581	165,009	40,823	17,960	5,125	229,337
Isles in the British Seas	11,774	2,449	2,567	800	17,589	7,275	681	499	93	8,498
Total	2,039,409	389,940	483,017	198,010	3,110,376	1,215,264	203,201	66,329	14,484	1,499,278
	Domestic Servants.					Labourers.				
England and Wales	150,005	83,524	476,081	289,438	999,048	482,663	85,182	98,628	7,229	673,922
Scotland	13,632	8,113	82,305	54,578	158,650	65,865	9,801	8,163	744	84,573
Isles in the British Seas	727	385	4,848	2,075	7,535	1,995	152	1,151	75	3,373
Total	164,364	92,024	562,734	346,091	1,165,233	550,543	95,135	108,142	8,048	761,868
	Persons engaged in the Government Civil Service.					Educated Persons following Miscellaneous Pursuits.				
England and Wales	13,840	219	515	14	14,088	81,872	10,637	30,060	1,909	123,878
Scotland	2,621	51	105	..	2,777	12,981	2,687	2,236	186	18,089
Isles in the British Seas	88	..	5	1	94	480	54	252	33	859
Total	16,049	270	625	15	16,959	94,840	13,378	32,568	2,030	142,826
	Persons returned as Independent.					Parochial, Town, and Church Officers, including Police and Law Officers, &c.				
England and Wales	118,686	5,022	308,061	14,122	445,973	19,955	321	1,836	13	22,125
Scotland	11,167	430	44,257	1,788	56,291	2,927	36	118	4	3,085
Isles in the British Seas	2,263	99	4,596	219	7,176	60	..	5	..	65
Total	132,113	5,550	357,316	16,117	511,440	22,942	357	1,959	17	25,275

Abstract Account of the Numbers, Ages, and Sexes of Persons, &c.—continued.

	Military.			Naval.			Almspeople, Pensioners, Paupers, Lunatics, and Prisoners.				
	Males.			Males.			Males.		Females.		
	20 Years of Age and upwards.	Under 20 Years of Age.	Total.	20 Years of Age and upwards.	Under 20 Years of Age.	Total.	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	Total.
England and Wales	30,460	6,303	36,763	87,843	7,350	95,193	64,924	28,051	60,019	23,212	176,206
Scotland	3,921	710	4,631	21,808	2,551	24,359	7,963	1,078	11,700	954	21,690
Isles in the British Seas	690	150	840	2,049	231	2,279	652	131	819	71	1,173
Army Abroad and in Ireland	89,215	15	89,230	..	..	..	..	..	..	..	..
Navy & Merchant Seamen Afloat, &c.	..	..	..	79,819	17,180	96,799	610	347	..	..	957
Total	124,286	7,178	131,464	191,318	27,312	218,630	74,149	29,602	72,038	24,237	200,026

	Professional Persons.				Residue of Population not included in either of previous Classes.			
	Clerical.	Legal.	Medical.	Total.	Males.	Females.		Total.
	Males.	Males.	Both Sexes.					
England and Wales	20,450	14,155	18,436	53,041	239,013	2,935,752	3,059,350	6,230,115
Scotland	2,956	3,185	3,568	9,709	35,469	475,501	509,804	1,031,462
Isles in the British Seas	137	114	183	434	1,838	22,911	24,509	74,130
Navy & Merchant Seamen Afloat, &c.	..	..	..	..	206	292	703	266	1,467
Total	23,543	17,454	22,187	63,184	276,526	3,434,456	3,594,366	3,692,517	10,997,365

Total of Population.

	Males.		Females.		Total.
	20 Years of Age and upwards.	Under 20 Years of Age.	20 Years of Age and upwards.	Under 20 Years of Age.	
England and Wales	4,130,763	3,644,461	4,475,231	3,661,302	15,911,757
Scotland	630,323	611,534	766,508	611,814	2,620,184
Isles in the British Seas	30,304	27,252	38,300	28,184	124,040
Army Abroad and in Ireland	89,215	15	..	..	89,230
Navy and Merchant Seamen Afloat, &c.	80,435	17,819	703	266	99,223
Total	4,961,045	4,301,081	5,280,742	4,301,566	18,844,434

It would be very desirable to have a table representing the numbers and incomes of the different ranks and orders of the people. Unfortunately, however, we are without any materials for its construction. The classification in the population returns, as given above, is but very rude, and little to be depended on; and we are absolutely destitute of any means by which to form any estimate of the average income of any one of the leading classes. It is seen from the details elsewhere given, (*ante*, p. 404,) that the amount of income assessed to the property tax, in 1842-43, including the dividends on the national debt, and the salaries and incomes to public servants, amounted to 171,078,899*l.*: but all incomes of less than 150*l.* a-year are exempted from the operation of the Act; so that we can only guess at their gross amount.

The population of Great Britain may, as already seen, (vol. i., p. 449,) be taken at present (1846) at about 20,000,000. We have, however, no authentic details by which to measure the average annual incomes of any pretty considerable number of individuals in the various ranks and orders of life; and without knowing the numbers in each class, a

knowledge of the average incomes of the individuals belonging to it would not enable us to form a correct estimate of the average income of the people generally. But, in the absence of authentic data, we incline to think we shall not be very wide of the mark if we estimate the average annual income of the people of Great Britain at from 18*l.* to 19*l.* each, or at 92*l.* 10*s.* at a medium for every family of five persons. This, taking the population at 20,000,000, would give a total gross income of 370,000,000*l.* We offer this merely as a rude approximation. But, how diminutive soever it may appear, when contrasted with some late estimates, we are pretty well satisfied that, if it be not materially beyond, it is, at all events, not much within, the mark. The late Lord Liverpool, who was well versed in questions of this sort, stated, in his place in the House of Lords, on the 26th of February, 1822, that he estimated the annual income of the people of Great Britain at from 250,000,000*l.* to 280,000,000*l.* And we believe we shall not be far wrong if we estimate it, at this moment, at from 360,000,000*l.* to 380,000,000*l.*

Considering the poverty and destitution of the great bulk of the Irish people, their incomes must be inconsiderable indeed, compared with those of the people of Britain. We should not, in fact, be inclined to estimate them at above 7*l.* 7*s.* or 7*l.* 10*s.* each, at an average of the population.

CHAPTER VI.—Colonies and Dependencies.

No work descriptive of the British empire could have any pretensions to completeness that omitted to notice its colonies and dependencies. It would, however, be inconsistent alike with the objects and the limits of this work to enter into any detailed investigations, with respect to their statistics. Our object has been to exhibit the physical capabilities, the industry, wealth, and institutions of the British nation; and our colonies and foreign dependencies are connected with our subject only in those respects in which they may be supposed to contribute to, or diminish, our wealth and prosperity.

Our colonies consist of the extensive provinces of the Canadas, Nova Scotia, New Brunswick, &c., in North America; of Jamaica, Barbadoes, and the other islands subject to our sway in the West Indies; of Demerara and Berbice in South America; and of the colonies of the Cape of Good Hope, Mauritius, Ceylon, New South Wales, Van Diemen's Land, &c., in South Africa and Australia. The vast empire of Hindostan, of which we are now the uncontrolled masters, is a dependent or tributary kingdom. Malta and Gibraltar are to be regarded as mere fortified stations or strongholds: and the Ionian Islands form a sort of semi-independent state, of which Great Britain is protector.

Advantages of Colonial Establishments.—However extensive and valuable, our colonies confer on us no direct advantage. The attempt made in the early part of the reign of George III. to compel the American colonists to contribute towards the public revenue of the

empire eventually led to that disastrous war which terminated in their independence. Since then we have renounced all attempts to tax the colonies for any purpose, except that of their own internal government and police. They contribute nothing directly to the general revenue of the empire. The fleets and armies required for their protection in war, and their security in peace, are all supplied by the British nation, and cost them nothing. Whatever benefits they confer on us result entirely, or almost entirely, from the commercial intercourse we carry on with them, the opening they afford to emigrants from this country, and the facilities they give to British adventurers for making fortunes, with which they may return to their native land.

The policy pursued with respect to India is different. It is subjected to very heavy taxes, and is not only made, in as far as practicable, to defray the cost of the armaments required for its protection, but a surplus revenue has occasionally, also, been transmitted from India to England. A large number of Englishmen are besides employed, at good salaries, in administering the government of India; and the opportunities it affords to these and other descriptions of adventurers for making fortunes are much greater than those afforded by any of our colonies.

The advantages derived from the possession of such strongholds as Malta and Gibraltar are altogether of a political nature, consisting principally in the shelter they afford to our fleets, and, consequently, in the means they afford for protecting our commerce, and for the annoyance of our enemies during war. Every commercial and maritime nation that takes a just view of its real interests will always take care to possess itself of some such fortified positions.

Were this the proper place for entering upon such inquiries, it might be very easily shown that the advantages supposed peculiarly to belong to the colony trade, are in a great degree imaginary. No considerable colony will ever import any material quantity of goods from the mother-country, unless they be, at the same time, the cheapest and most suitable for her markets; and if they have this quality, the chances are ten to one that the colony would continue to import them were she to become independent. It is not by dint of custom-house regulations, but exclusively through the agency of comparatively cheap goods, that all great markets are acquired in the first instance, and are subsequently preserved. All the *guarda costas* and tyrannical regulations of Old Spain could not hinder her trans-Atlantic possessions from being overrun with the manufactured products of other countries. And were any competitor to come into the field capable of supplying the Canadians with woollens, cottons, or hardware, on lower terms than we can supply them, we should be effectually shut out of their markets. It is not, therefore, to the fact of a country being a colony that we are to ascribe the circumstance of our carrying on a great *free* trade with it; but to the fact of our being able to supply it, or of its being able to supply us, with one or more articles or products in considerable demand on cheaper terms than it or they can be supplied from any other quarter. And a circumstance of this sort would, in most cases, lay the foundations of as extensive a trade with an independent state as with a colony.

Admitting that it were possible—which, however, it rarely is—to compel a colony to purchase articles from the mother-country with which she might supply herself cheaper elsewhere, that would be of no advantage to the parent state, how injurious soever to the colony. Every country has some peculiar departments in which she possesses either a natural or an acquired advantage over others; and in which, consequently, it is most for her interest that her capital and industry should be principally employed. But the articles she compels the colony to take from her are plainly not of this description; and by continuing to produce them, and to force them upon the colony, she retains a portion of her capital and labour in a comparatively disadvantageous business, doing an injury to herself as well as to those she obliges to buy the dear articles.

A country which founds a colony on the liberal principle of allowing it to trade freely with all the world, necessarily possesses considerable advantages in its markets, from identity of language, religion, customs, &c. These are natural and legitimate sources of preference, of which it cannot be deprived; and these, combined with equal or greater cheapness of the products suitable for the colonial markets, will give its merchants the complete command of them. But all attempts at forcing a trade with colonies are sure to be pernicious alike to the mother-country and the colony; and make that intercourse a source of poverty and ill-will, which, if let alone, would be a source of reciprocal advantage.

The state of the trade with Canada may be referred to in proof of what has now been stated. It employs a large number of ships and seamen, and seems, to a superficial observer, highly valuable. In truth and reality, however, it is decidedly the reverse. Two-thirds, or more, of the trade with Canada is forced and factitious; originating in the excess of 40*s.* a load formerly imposed on timber from the north of Europe, over and above what was imposed on that brought from a British settlement in North America; and which excess, notwithstanding the reduction it has undergone, and is to undergo, will amount to about 14*s.* a load from the 5th of April, 1848. This tempts us to resort to Canada, whence we import an inferior article at a higher price. The disadvantages of this impolitic system are numerous and glaring. To a manufacturing country, having a great mercantile and warlike navy, timber is an *indispensable necessary*; and yet, instead of supplying ourselves with it where it may be found best and cheapest, we load the superior and cheaper article with a high comparative duty; and thus do the most we can to make our houses and ships be built, and our machinery constructed, of what is inferior and dear! But the mischief does not stop here. By lessening the imports of the timber of the north of Europe, we proportionally lessen the power of the Russians, Prussians, Swedes, and Norwegians, to buy our manufactured goods; while, by forcing the importation of timber from Canada, we withdraw the attention of its inhabitants from the most profitable employment they can carry on, that is, from the cultivation of the soil, and make them waste their energies in comparatively disadvantageous pursuits! Such, either in a less or a greater degree, is the uniform result of all attempts to interfere with the natural order of things, and

to force a trade—whether with a colony or a foreign country, matters not—that would not otherwise be carried on.

Canada is not, and never has been, of any considerable advantage to England. Should the duties on her timber be reduced to the same level as those on Baltic timber, we question whether she would be found to possess a single article that could be advantageously exported to this country, or that we might not buy cheaper and better elsewhere. While, however, the forcing a trade with colonies is no advantage, but the reverse, the effort to keep them in a state of unwilling dependence, after they are desirous to be independent, entails a very heavy expense on the mother country. Our ascendancy in Canada, at this moment, is wholly dependent on the presence of a large military force, occasioning, one way and another, a direct outlay of little less than 1,500,000*l.* a-year; and all this heavy expense is incurred without any equivalent advantage, and with a full conviction in the mind of every man of sense in the empire that, at no very distant period, Canada will be independent, or an integral portion of the United States.

If we persevere in this policy, it may be doubted whether we have profited much by the dear-bought experience afforded by the American war. We deny that Canada contributes in any way whatever either to the strength or security of Great Britain. On the contrary, the connection with it is an evident source of weakness; for, while it multiplies the chances of our being involved in disputes with other powers, it supplies no means of carrying them on, and distracts and lessens those in our possession. National pride may prevent our relinquishing this costly and worthless dominion; but good sense, and the most obvious views of expediency, would suggest the policy of voluntarily anticipating what must in the end necessarily happen; and of providing for the independence of Canada, under a system of friendly and mutually beneficial relations with this country.

If a colony enjoy a natural monopoly of any product or article in extensive demand, it is supposed that, by laying a heavy duty on its exportation, a considerable advantage may be made to accrue to the mother country; but this does not really appear to be the case. Ceylon possesses a monopoly of the trade in cinnamon; but the high duty (1*s.* per lib*) laid on the article when exported, restricts the demand for it within very narrow limits; and has reduced its culture and the revenue derived from it to a comparatively trifling extent. Most of our readers have no doubt heard of the immense profits made by the Dutch on spices, of which the possession of the Moluccas gave them the monopoly. But these high profits were wholly a consequence of the limitation of the quantity sold; and to prevent a fall of price by an increase of the supply brought to market, the Dutch occasionally destroyed a portion of the produce. There is no longer, however, so much even as the shadow of a doubt that they were heavy losers by this oppressive and short-sighted policy. The sales were confined to an amount hardly sufficient to employ the capital even of a single merchant; and the total sum realised by the government is not supposed to have amounted to the tenth part of what it would have risen to had the trade been left free, under a moderate duty.

* Till very recently this duty was 8*s.* per lib! It is still, however, three times as much as it should be.

When a nation derives the whole or any considerable portion of any important article from abroad, it is necessarily exposed, especially if the supply come from only one foreign country, or but a few, to the risk of more or less inconvenience, from any interruption of the friendly intercourse subsisting with it or them. When such important articles are furnished by a colony, their supply is, of course, comparatively secure; and in such cases colonial possessions may be of peculiar value. At this moment any interruption of the trade with the United States might, by interfering with the supply of raw cotton, be productive of the most calamitous results; and there can be no doubt that if the whole, or any considerable part, of the supply of cotton were derived from a colony, it would be an important advantage. This, however, is not the case. It is not, indeed, improbable, but that at some future period India may yield abundant supplies of cotton; but at present the cotton she sends to Europe is neither considerable in amount nor of good quality.

It is said that the West India colonies are advantageous, because they supply us with sugar, which yields a large amount of revenue! But in this respect they are merely on a level with China and Virginia, which supply us with tea and tobacco, which also yield a large amount of revenue. It is the people of Britain, and not the West Indian islands that pay the sugar duties. And as sugar may be imported as the law now stands, after the 5th of July, 1851, from Brazil and Cuba at the same duty, and quite as cheap as it can be imported from the British West Indies, it is difficult to perceive how the emancipation of the latter could occasion any very material public loss.

It must not, however, be supposed, from anything now stated, that we regard the foundation of colonies as inexpedient; on the contrary, colonies have been, in their consequences, highly advantageous to this, as they have been to most old settled countries in all ages. It is not to their establishment, provided they be placed in proper situations, and judiciously managed, but to the needless interference with their government, the trammels imposed on their industry, the prevention of their free intercourse with other people, and the attempt to govern them after they are able and determined to govern themselves, that we object. A nation that founds a colony in an unoccupied country, or in a country occupied only by savages, extends, by so doing, the empire of civilisation to, it may be, an indefinite degree. Such colony not only forms a desirable outlet for the redundant or unemployed population of the mother-country, but it forms a new and rapidly increasing market for its products and those of other countries. No one can doubt that Europe, and especially England, has been signally benefited by the discovery and civilisation of America; but the advantages thence arising, how great soever, would have been incomparably greater but for the various impolitic regulations imposed by the mother states on their colonies. The British colonies, though fettered in various ways, enjoyed a much greater degree of freedom than those of any other country; and, in consequence, their progress, both before and since the æra of their independence, has been proportionally rapid. The colonies of Spain, on the other hand, though occupying the finest provinces, had their progress thwarted by the blind jealousy of the mother-country, and were kept as much as possible in a state of pupilage.

The government was entirely administered by natives of Old Spain; the colonists were carefully excluded from every office of power and emolument; one colony was prohibited from trading with another; and had foreigners presumed to settle amongst them, they would have been liable to capital punishment! In consequence, their progress was very slow; and when at length they succeeded in throwing off the galling yoke of the mother-country, they became, and have continued, from their inexperience in self-government, a prey to all sorts of disorders. It is questionable whether her South American colonies were of the least service to Old Spain, and it is, at all events, certain that they have not conferred either on her or on others, a tenth part of the benefit they would have done had they been treated with more liberality, and permitted freely to avail themselves of all the advantages of their situation.

The American war seems to have decided, in as far as experience can decide anything, the question in regard to the policy of retaining colonies in a state of dependency that are determined to govern themselves. No colonies were ever regarded as half so valuable as those which now form the republic of the United States; and it was generally supposed that their emancipation would be decisive of the fate of England, that her sun would then set, and for ever! But have we really lost anything by that event? Has our trade, our wealth, or our power been in any degree impaired by the independence of the United States? The reverse is distinctly the case. The notion that we could have continued for any length of time to retain such rapidly growing countries in a state of dependence, or that we could have been advantageously united in a federal union with vast regions situated in another hemisphere, is too wild and extravagant to require examination. But notwithstanding its independence we have continued, and will continue in time to come, to reap all the advantage we can reasonably claim as the founders of this mighty empire in the wilderness. Englishmen will necessarily always command a preference in the American markets. And while we are disencumbered of the impossible task and enormous expenses attending the government and defence of all but boundless territories 3,000 miles distant, our intercourse with them grows with their growth; and we are as much benefited and enriched by them as we should have been had they continued in the same state of dependence as Malta or the Cape of Good Hope.

The colonisation of Australia will contribute in no ordinary degree to extend the blessings of civilisation; and there can be no doubt that this newly discovered quarter of the globe, the native inhabitants of which were still fewer in number and more barbarous than those of America, is destined, at no very remote period, to be the seat of flourishing communities: and while they preserve the language and literature, it is to be hoped that they may also pursue the mild, liberal, and tolerant policy, of the illustrious people from whom it should ever be their proudest boast to have descended.

Nothing, therefore, can be a greater error than to suppose that we are indebted for any very considerable portion of our national greatness to the extent of our colonial dominion. In all those cases in which we carry on a really beneficial trade with a colony, the chances

are ten to one that we should carry it on to an equal extent were it independent; while the number of our colonies, their distance from the United Kingdom, the ease with which some of them may be attacked during war, and the difficulty and expense of defending them, are very serious considerations. On the whole, perhaps, it will be found, if rightly examined, that extensive colonial possessions are a source of weakness rather than of strength. We derive our superior wealth and civilisation from totally different sources—from the moral and physical advantages, which have made the United Kingdom the head quarters, as it were, of freedom, civilisation, and manufacturing industry; and while we possess these, we need not fear that any serious injury will result from circumscribing the extent of our colonial dominion.

Probably the greatest advantage derived from our extensive colonial dominions is to be found in the field they afford for the profitable employment of our surplus population, and for the exercise of talents for which there is comparatively little demand at home. The United States also present great attractions to emigrants from this country, resulting in part from the common origin of their people, the identity of their language, the general mildness of their climate, and their comparative proximity; and in part from the greater facility with which tracts of unoccupied land may be acquired in them. The policy of the existing regulations in regard to the disposal of unoccupied lands in most of our colonies appears, indeed, to be of the most questionable description. At present, however, we shall content ourselves with observing that whether the plan of fixing a *minimum* price on unoccupied land be or be not expedient, the price fixed in the greater number of our colonies is by far too high, being in truth four or five times as much as it should be. We subjoin

An Account of the Total Numbers of Emigrants that have left the United Kingdom during each of the 21 *Years ending with* 1845, *specifying also the Destination of the Emigrants.*

Years.	North American Colonies.	United States.	Australian Colonies and New Zealand.	All other Places.	Total.
	Emig.	*Emig.*	*Emig.*	*Emig.*	*Emig.*
1825	8,741	5,551	485	114	14,891
1826	12,818	7,063	903	116	20,900
1827	12,648	14,526	715	114	28,003
1828	12,084	12,817	1,056	135	26,092
1829	13,367	15,679	2,916	197	31,158
1830	30,774	24,887	1,242	204	56,907
1831	54,067	23,418	1,561	114	83,160
1832	66,339	32,972	3,723	196	103,140
1833	21,809	29,109	4,093	517	62,527
1834	40,069	33,074	2,900	288	76,222
1835	15,573	26,720	1,860	825	44,478
1836	34,226	37,774	3,124	2-3	75,417
1837	29,884	36,770	5,054	326	72,034
1838	4,577	14,332	14,021	252	33,222
1839	42,650	33,536	15,786	227	92,297
1840	32,273	40,642	48,850	1,053	80,748
1841	32,164	45,917	32,625	2,706	113,592
1842	54,123	65,952	8,534	1,635	128,344
1843	23,518	28,335	3,478	1,881	57,212
1844	22,124	43,640	2,229	1,873	70,656
1845	31,803	58,538	830	2,330	93,501
Total .	583,189	628,171	121,095	16,121	1,349,476

Average Annual Emigration from the United Kingdom for the last 21 Years . . . 64,260

A very large proportion of the population of the West Indian islands, and of the Mauritius, consists of blacks, who were either them-

selves brought from Africa as slaves, or are the descendants of such. Their importation began in the 16th century; and was, for a lengthened period, extensively carried on by the English, and by the other European nations who had colonial possessions. At length, however, grave doubts began to be entertained of the justifiableness of the traffic; and notwithstanding the encouragement received from the legislature, a conviction gradually grew up in the public mind, that the trade in slaves was essentially cruel and unjust. The first motion with relation to it in parliament was made in 1776; but the subject was not taken up systematically till 1787, when a committee was formed, of which Mr. Granville Sharp and Mr. Clarkson, whose names are imperishably associated with the abolition of the slave trade, were members. This committee collected evidence of the enormities produced by the trade, which they circulated throughout the country, and thereby succeeded in making a great impression on the public mind. After a number of witnesses on both sides had been examined before the privy council, Mr. Wilberforce, on the 12th of May, 1789, moved a series of resolutions condemnatory of the traffic. They were supported by Mr. Burke, Mr. Pitt, and Mr. Fox. But, notwithstanding the resolutions were carried, nothing was done to give them effect. The friends of the trade having obtained leave to produce evidence at the bar of the House, contrived to interpose so many delays that the session passed off without anything being done. In the following sessions the struggle was continued with various success, but without any definite result. At length the triumph of the abolitionists was finally consummated in 1807; a bill for the total and immediate abolition of the slave trade, having been carried in both Houses by immense majorities, received the royal assent on the 25th of March, being the last act of the administration of Mr. Fox and Lord Grenville.

But if the reducing of men into a state of slavery be radically unjust, the retaining of them in that state must be so too; and consistently with this principle the abolitionists did not content themselves with having effected the abolition of the traffic in slaves, but exerted themselves to improve their condition in the colonies, and to accomplish their emancipation. And after a great deal of discussion, an Act was passed in 1833, by which, on payment being made of 20,000,000*l.* to the proprietors, the progressive emancipation of the slaves was provided for; and it was finally accomplished in 1838.

This measure has, of course, made a very great change, of which the results cannot as yet be fully appreciated, in the West Indian islands. In the mean time, however, it has occasioned a very considerable decline in the production of sugar, the occupation in which the slaves were mostly employed: and unless means be adopted for securing an adequate supply of free labour to our islands, it seems not a little doubtful whether, after the sugar duties are equalized, the planters in them will be able to sustain the competition of the planters of Brazil and Cuba, who command the services of slaves.

Relations and Trade with India.—The first establishments of the English in India, like those of other European nations, arose out of the alleged necessity of providing armed factories or strongholds, where the adventurers might warehouse their goods, and reside in safety for the purpose of carrying on their intercourse with the natives;

but the factories speedily degenerated into fortifications, and the garrisons into armies. For a while the power of the English and French was pretty nearly balanced in India; but the talents and victories of the famous Lord Clive gave us a decided superiority over every competitor, foreign or native, and extended our sway over some of the largest and finest portions of the Mogul empire. The policy of Clive, whether it were really approved by the succeeding governors-general of our Indian dominions, or were forced upon them by necessity, has, some few short intervals excepted, been steadily followed up; and with such signal success that our Indian empire comprises at present the whole of Hindostan from the Himalaya mountains to Cape Comorin, with a population of above 120 millions!

The most exaggerated accounts have been at all times current in Europe of the extraordinary wealth of India, and of the importance of the commerce with that part of the world. After the victories of Lord Clive the most sanguine expectations began to be entertained, not only of a vast increase of trade with India, but that we should draw from her an immense amount of surplus revenue, or tribute. Perhaps it is not going too far to say that these expectations have been entirely disappointed. Great abuses existed in the government of the Bengal provinces when conquered by Clive; the servants of the East India Company making large fortunes by the oppression of the natives and the ruin of the country. But, notwithstanding the eradication of the abuses in question, the immense additions that have since been made to our empire, and the oppressive taxes laid on the natives, it is not very clear that England has hitherto derived any direct revenue from India. The distance of the country, and the totally dissimilar language and customs of the people, are very great obstacles to our governing it with the economy necessary to make it yield any considerable amount of surplus revenue. The East India Company always contended that the profits made by their monopoly of the China trade were necessary to enable them to conduct the government of India. But, though there are strong grounds on which to impeach the accuracy of this statement, still it is abundantly clear that the surplus revenue we have derived from India, supposing there has been any such, has been comparatively inconsiderable; and quite trifling, indeed, compared with our own anticipations, and with the notions entertained by others of its magnitude.

Down to the abolition of the Company's monopoly in 1814, our trade with India was, also, very limited; so much so, that the total amount of the exports from this country to it, including the important item of military stores, did not amount to 1,400,000*l.* a-year! And a considerable loss is said to have been incurred even on this. In their efforts to force the sale of woollens, by which they were heavy losers, the Company seem to have entirely forgotten that we had attained to great excellency in the manufacture of cotton-stuffs, the articles principally made use of as clothing in Hindostan; and that, notwithstanding the cheapness of labour in India, the advantage we derived from our superior machinery might enable us to offer cotton stuffs to the natives at a lower price than they could afford to manufacture them for. No sooner, however, had the trade been opened to private adventurers, than this channel of enterprise was explored; and the result has been, that, instead of bringing cottons from India to England, the former has

become *one of the best and most extensive markets for the cottons of the latter.* We question, indeed, whether, in the whole history of commerce, another equally striking example can be produced of the powerful influence of competition in opening new and almost boundless fields for the successful prosecution of commercial enterprise.

In 1814, the first year of the free trade to India, the exports of cotton amounted to 817,000 yards, of which only about 170,000 yards, valued at 17,778*l.*, were exported by the Company! The progress of the trade has since been such that we now annually export about 250,000,000 yards of cotton stuffs to India, and about 23,000,000 lbs. of twist and yarn, their conjoint value being little short of 5,000,000*l.*

The demand for several other articles of British manufacture has also considerably increased, though not in the same unprecedented manner as cotton. Notwithstanding all that has been said of the immutability of Hindoo habits, the fact is not to be denied, that a taste for European products and customs is rapidly spreading itself over India. And the fair presumption is, that it will continue to gain ground according as education is more diffused, and as the natives become better acquainted with our language, arts, and habits. The aggregate value of our exports to India is now rather above 6,000,000*l.* a-year!

It would, however, be unjust not to state that though extremely ill fitted to serve as a commercial engine, the East India Company has governed India with singular discretion; and has made the most praiseworthy efforts to enforce economy in all departments of the administration, and to appoint the best men to all situations of power and emolument in that country. The patronage of India has always been less jobbed and abused than that of England; and, notwithstanding the small amount of surplus revenue, there are few governments that have made more vigorous exertions to repress abuse, and to protect the rights of their subjects.

We subjoin some tables giving pretty ample details as to the population, trade, revenue, &c., of our colonies and dependencies.

The area and population of the principal divisions of British India have been estimated as follows:—

Divisions.	Area in sq. m.	Population.
In Hindostan —		
Presidencies of Bengal and Agra	306,000	69,710,000
Presidency of Madras	130,000	14,895,000
Presidency of Bombay	68,100	6,940,000
Island of Ceylon	24,450	1,242,000
In India beyond the Ganges :—		
Provinces conquered from the Burmese (under the Bengal presidency) :—		
Assam	18,200	602,500
Jynteah	10,350	270,000
Cachar		70,000
Aracan	16,250	230,000
Tenasserim coast: Martaban	82,500	85,000 †
Tenasserim coast: Tavoy and Ye		
Tenasserim coast: Mergui and Archipelago		
Straits' settlements :—		
Penang, or Prince of Wales's Island, and prov. Wellesley	1,570	154,500
Malacca		
Singapore		
Total	608,470	93,929,000

To the foregoing territories, under the immediate rule of the British, may be added the tributary States of Berar, Oude, Mysore, Tra-

Table of Returns from each Colony or Foreign Possession of the British Crown, stating the Date at which each Colony or Possession was captured, ceded, or settled; the Number of the Population, and whether having Legislative Assemblies, or governed by Orders of the Queen in Council; stating, also, the Value of Exports and Imports, and Number and Tonnage of Vessels entered Inwards and cleared Outwards in each Colony, in 1842.—(Parl. Paper, No. 49, Sess. 1845, amended.)

Colonies.	Date of Capture, Cession, or Settlement.	Whether having Legislative Assemblies, or governed by Orders in Council.	Population, 1842, or last Census.	Trade between the United Kingdom and the several British Colonies in 1842.			
				Imports into the United Kingdom, (Official Value).	British and Irish Produce and Manufactures exported from United Kingdom, (Declared Value.)	Number and Tonnage of Vessels to and from the United Kingdom.	
						Entered Ports of United Kingdom.	Cleared from Ports of United Kingdom.
				£.	£.	Ships. Tons.	Ships. Tons.
North America.							
Lower Canada	Capitulation, Sept. 18, 1759	Governor, Council, and Assembly	670,590				
Upper Canada	Ditto, Sept. 8, 1760, and cession by Treaty, 1763	Ditto Ditto	486,055	922,731	1,589,169	376 322,145	739 267,492
New Brunswick	Fisheries and settlements, established soon after their discovery in 1479	Ditto Ditto	156,142	171,135	146,518	437 173,544	375 107,965
Nova Scotia		Ditto Ditto	178,237	50,801	268,149	81 25,309	121 44,752
Cape Breton		Ditto Ditto	47,034				
Prince Edward's Island		Ditto Ditto	75,694	246,568	276,650	158 19,450	194 25,300
Newfoundland							
		Totals	1,621,152	1,391,255	2,280,481	1,552 540,448	1,329 445,579
West Indies.							
Antigua	Settlement, 1632	Governor, Council, and Assembly	36,405	272,397	87,338	43 10,298	50 13,333
Barbadoes	Ditto, 1605	Ditto Ditto	122,498	520,097	266,942	71 26,685	121 31,758
Dominica	Ceded by France, 1763	Ditto Ditto	18,221	100,273	32,259	12 3,051	11 2,078
Grenada	Ditto, 1763	Ditto Ditto	29,650	133,857	48,882	16 4,353	42 11,045
Jamaica	Capitulation, 1655	Ditto Ditto	377,433	1,818,227	1,161,146	163 47,776	215 61,928
Montserrat	Settlement, 1632	Ditto Ditto	7,119	22,574	3,684	4 804	2 481
Nevis	Ditto, 1628	Ditto Ditto	7,470	38,790	4,681	9 1,995	5 1,147
St. Kitt's	Ditto, 1623	Ditto Ditto	21,578	164,426	58,533	22 6,972	18 5,271
St. Lucia	Capitulation, June 22, 1803	Gov. and Council, and Orders of Queen in Council	21,601	152,795	23,750	16 3,321	11 2,233
St. Vincent	Ceded by France, 1763	Governor, Council, and Assembly	27,248	234,233	72,625	30 7,011	30 7,952
Tobago	Ditto, 1763	Ditto Ditto	13,208	82,564	21,845	13 3,323	15 3,752
Tortola	Settlement, 1666	Ditto Ditto	8,500	9,316	97	1 146	1 253
Anguilla	Ditto, 1666	Ditto Ditto	2,934				
Trinidad	Capitulation, Feb. 18, 1797	Gov. and Council, and Orders of Queen in Council	60,319	572,079	223,647	82 10,219	93 21,866
Bahamas	Settlement, 1629	Governor, Council, and Assembly	25,244	59,426	45,443	23 3,824	13 2,312
Bermudas	Ditto, 1609	Ditto Ditto	9,930	16,958	55,103	6 968	52 18,488
British Guiana (Demerara, Essequibo, and Berbice)	Capitulation, Sept. 19, 1803 Ditto, Sept. 23, 1803	Gov. and Council, and Orders of Queen in Council Ditto Ditto	102,354	288,884 174,347	332,613 42,625	126 33,316 25 6,158	171 45,525 25 5,585
Honduras	Treaty, 1670	Superintendent and Magistrates	10,000	864,502	111,804	47 13,028	21 5,257
		Totals	901,082	6,015,765	2,591,424	714 191,668	896 261,344
Gibraltar	Capitulation, Aug. 4, 1704	Gov. and Council, and Orders of Queen in Council	17,318	89,891	237,719	81 29,602	252 43,503
Malta and Gozo	Ditto, Sept. 5, 1800	Ditto Ditto	118,759	222,414	289,304	122 21,553	209 40,141
Cape of Good Hope	Capitulation, Jan. 10, 1806	Ditto Ditto	159,451	220,324	369,076	26 4,980	73 10,408
Sierra Leone	Settlement, 1787	Governor and Council, and Acts of Parliament	30,339				
Gambia	Ditto, 1618	Ditto Ditto	4,495	89,623	132,112	69 18,464	58 13,519
Gold Coast	African Forts, 1618.	Ditto Ditto					
Ceylon	Capitulation, Sept. 17, 1795	Gov. and Council, and Orders of Queen in Council	1,421,631	1,012,266	248,811	31 9,666	31 10,959
Mauritius	Ditto, Dec. 3, 1810.	Ditto Ditto	174,699	960,396	244,922	106 28,650	54 16,397
New South Wales	Settlement, 1787	Governor and Council, and Acts of Parliament	130,256	293,567	508,645 260,736		
Van Diemen's Land	Ditto, 1803	Ditto Ditto	50,216	124,150	22,579	79 22,705	133 31,234
Western Australia	Ditto, 1829	Ditto Ditto	3,476	1,297	34,212		
South Australia	Ditto, 1834	Ditto Ditto	15,527	23,127			
New Zealand	Ditto, 1839	Ditto Ditto	17,000	10,998	42,753	4 1,341	24 9,651
Falkland Islands		Ditto Ditto		1,077	364	1 92	2 216
St. Helena	Ceded by Holland, 1673	Ditto Ditto	4,634	3,729	17,536	1 350	19 2,096
Hong Kong	Treaty, 1842	Gov. and Council, and Orders of Queen in Council					
		Totals	2,152,101	3,057,999	3,109,012	522 129,503	852 204,119

* The trade with [illegible] in this year not distinguished from the [illegible]

vancore, Cochin, Sattarah, the dominions of the Nizam, of the Rajpoot and Bundlecund chiefs, &c., which are substantially administered by British rulers, and are either entirely or in part surrounded by British territories. They are estimated to comprise in all about 433,000 square miles, and a population of about 41,000,000.

The army maintained in British India consisted, in 1837, of the following effective force, in British, native, and contingent native troops:—

British.		Native.		Contingent Native.	
Staff	205	Staff (British)	312	Scindia	15,000
Horse artillery	1,927	Company's officers of British birth	3,416	Oude	10,000
Foot artillery	4,354	Officers of Hindoo birth	3,416	Nizam, cavalry, 10,000; infantry, 12,000	22,000
Engineers	77	Engineering corps	3,478	Baroda, cavalry, 3,000; infantry, 4,000	7,000
Cavalry	2,585	Horse artillery	1,022	Nagpore	1,000
Infantry	13,879	Foot artillery	5,822	Holkar	3,000
Officers	735	Artillery train	1,392	Travancore, 3 battalions	3,000
		Cavalry	14,529	Cochin, 1 battalion	1,000
		Infantry	124,281	Mysore	4,000
Total	26,582	Total	157,758	Cutch and Jondpoor	6,000
				Rajpoot States, cavalry, 7,500; infantry 27,000	34,500
				Sattarah	5,000
				Total	111,500

Totals: British 26,582; Native 157,758; Native subsidiary 111,500 — 295,840

The expense of the Anglo-Indian army, according to reports laid before parliament in 1830, was as follows:—

	£.		£.
Engineer Corps	83,874	Pioneers	74,511
Artillery	606,463	Commissariat	614,327
Cavalry	1,070,834	Sundries	2,178,887
Infantry	4,124,079		
Staff	481,490	Total	9,373,955
Medical Staff	132,490		

It may be observed, by the way, that this sum of 9,374,000*l.* is more than double the sum annually expended on the Prussian army! Considerable additions have been made within the last half dozen years to the military force in India.

Revenue and Expenditure of the East India Company.—The far greater part of the revenue of India is at present, and has always been, derived from the soil. The land has been held by its immediate cultivators generally in small portions, with a perpetual and transferable title; but they have been under the obligation of making an annual payment to government of a certain portion of the produce of their farms, which might be increased or diminished at the pleasure of the sovereign; and which has, in almost all cases, been so large, as seldom to leave the cultivators more than a bare subsistence. Under the Mohammedan government, the *gross* produce of the soil was divided into equal, or nearly equal shares, between the ryots, or cultivators, and the government. We regret we are not able to say that the British government has made any material deductions from this enormous assessment. Its oppressiveness, more than anything else, has prevented our ascendancy in India, and the comparative tranquillity and good order we have introduced, from having the beneficial effects

that might have been anticipated. The cultivators throughout Hindostan are proverbially poor; and till the amount of the assessment they are at present subject to be effectually reduced, they cannot be otherwise than wretched. They are commonly obliged to borrow money, to buy their seed and carry on their operations, at a high interest, on a species of mortgage over the ensuing crop. Their only object is to get subsistence—to be able to exist in the same obscure poverty as their forefathers. If they succeed in this, they are satisfied. Mr. Colebrooke, whose authority on all that relates to India is so deservedly high, mentions that the quantity of land occupied by each ryot, or cultivator, in Bengal, is commonly about six acres, and rarely amounts to 24; and it is obvious that the abstraction of half the produce raised on such patches can leave their occupiers nothing more than the barest subsistence for themselves and their families. Indeed, Mr. Colebrooke tells us that the condition of ryots subject to this tax is generally inferior to that of a hired labourer, who receives the miserable pittance of two annas, or about threepence, a day of wages.

Abstract View of the Revenues (inclusive of Commercial Assets realised in England) and Charges of British India, for the Years 1840-41, 1841-42, 1842-43, *and* 1843-44, *including the Charges disbursed in Great Britain.*—(Parl. Paper, No. 362, Sess. 1845.)

Revenues.	1840-41	1841-42	1842-43	1843-44 partly estimated.	Charges.	1840-41	1841-42	1842-43	1843-44 partly estimated.
	Co.'s rs.	Co.'s rs.	Co.'s rs.	Co.'s rs.		Co.'s rs.	Co.'s rs.	Co.'s rs.	Co.'s rs.
Bengal	6,63,41,585	6,92,52,579	7,32,56,159	7,35,03,452	Bengal	8,73,40,152	9,13,37,516	9,76,64,658	8,98,52,031
N. W. Provinces	3,75,64,979	4,20,84,604	4,22,59,728	4,27,38,360	N. W. Provinces	60,52,904	85,81,495	83,06,620	99,21,609
				Actual.					Actual.
Madras	3,80,08,989	3,83,85,045	3,87,03,787	3,84,21,298	Madras	3,57,55,468	3,53,07,921	3,60,61,682	3,56,51,113
				Actual.					Actual.
Bombay	1,94,97,831	1,86,76,100	2,09,13,951	2,16,31,763	Bombay	2,09,74,716	2,12,80,775	2,12,42,991	2,35,10,634
Total ordinary revenues	16,14,13,384	16,83,48,328	17,51,33,625	18,14,94,813	Total ordinary charges of India	15,21,23,240	15,70,07,707	16,32,75,351	15,89,35,387
At 2s. per sicca rupee	£15,132,5[illegible]	15,782,655	16,419,246	17,015,139	At 2s. per sicca rupee	£14,261,554	14,719,472	15,307,064	14,844,222
Extraordinary Receipts.					*Extraordinary Charges.*				
Bengal	15,162	40,766	7,308	8,900	Bengal	. .	. .	9,040	. .
Madras	Excess ch. 1,117	235	. .	. .	Co.'s rupees	. .	. .	9,040	. .
Co.'s rupees	14,045	41,001	7,308	8,900	At 2s. per sicca rupee	£ . .	. .	847	.
At 2s. per sicca rupee	£1,317	3,844	685	834	Total ordinary and extraordinary charges in India	£14,261,554	14,719,472	15,307,911	14,844,222
Total ordinary and extraordinary revenues and receipts in India	£15,133,822	15,786,499	16,419,931	17,015,973	Charges disbursed in England	2,625,776	2,834,786	2,458,193	2 944,073
Amount realised in England from commercial assets	261	2,058	. .	. .					
	£15,134,083	15,788,557	16,419,931	17,015,973					
Deficiency	1,753,247	1,765,701	1,346,173	772,322					
	£16,887,330	17,554,258	17,766,104	17,788,295	Total charges of India	£16,887,330	17,554,258	17,766,104	17,788,295

Besides the land revenue, a considerable revenue is derived in India from the monopolies of salt and opium, the sale of spirituous liquors, land and sea customs, post-office, &c. Of these monopolies, the first is, in all respects, decidedly the most objectionable. Few things, indeed, would do more to promote the improvement of India than the total abolition of this monopoly. An open trade in salt, with moderate

duties, would, there can be no doubt, be productive of the greatest advantage to the public, and of a large increase of revenue to government. The opium monopoly, though less objectionable than the last, is, notwithstanding, very oppressive. It interferes with the industry of the inhabitants; those who are engaged in the cultivation of opium being obliged to sell their produce at prices arbitrarily fixed by the Company's agents. It would be worse than useless to waste the reader's time, by pointing out in detail the mischievous effects of such a system; they are too obvious not to arrest the attention of every one.

We subjoin the following statement with respect to the revenue of the presidency of Bengal, the most important of all the presidencies:—

Account of the Revenue of the Bengal Presidency, in 1840-41, 1841-42, 1842-43, 1843-44.

Revenues.	1840-41	1841-42	1842-43	Estimate, 1843-44
	Co.'s rs.	Co.'s rs.	Co.'s rs.	Co.'s rs.
Mint duties	5,07,230	4,95,591	4,80,723	5,85,468
Post-Office collections	5,53,154	6,08,320	6,20,730	6,23,400
Stamp duties	21,86,005	22,38,604	22,77,370	22,51,800
House-tax in Calcutta	2,05,267			
Excise duties in Calcutta	1,69,933	2,55,129	2,83,321	2,23,300
Judicial fees and fines	7,02,155	7,06,950	6,92,794	6,91,810
Miscellaneous civil receipts	18,39,339	12,17,230	12,17,553	13,45,000
Land revenue	3,46,48,654	3,73,40,338	3,56,76,045	3,56,90,400
Sayer and Abkarry	20,60,327	22,07,384	23,24,751	23,43,200
Miscellaneous receipts in the Revenue Department	1,13,812	1,14,816	1,10,468	1,02,100
Receipts from the territory ceded by the Burmese	16,28,298	15,94,355	16,69,153	16,41,800
Receipts from Scinde				21,73,719
Customs	48,51,319	50,00,392	53,13,379	53,08,800
Sale of salt	1,92,36,527	1,92,51,062	1,96,03,043	1,86,49,719
Sale of opium	1,19,79,506	1,37,71,557	1,32,79,156	2,19,50,279
Marine and pilotage receipts	8,21,513	7,06,577	8,13,673	7,15,350
Revenues of Prince of Wales' Island, Singapore, and Malacca.				
	Co.'s rs.	Co.'s rs.	Co.'s rs.	Co.'s rs.
Prince of Wales' Island	1,71,033	2,01,247	1,85,125	1,83,500
Singapore	3,27,120	4,49,004	4,87,835	4,96,000
Malacca	58,151	60,196	56,128	68,650
	5,56,322	7,11,347	7,29,089	7,38,150
Subsidy received from the Nagpore Government	8,00,000	8,00,000	8,00,000	8,00,000
Tributes received from the Nizam, Rajpoot, and other States	10,2,448	5,64,021	8,99,618	10,09,088
Interest on arrears of revenues, &c.	4,23,613	4,43,149	4,44,300	1,47,800
Total gross revenue	8,43,44,586	8,82,20,853	9,03,35,565	9,58,80,081
Deduct allowances and assignments payable out of the revenue, in accordance with treaties and other engagements	30,58,748	25,49,913	25,03,890	23,71,649
	8,12,85,838	8,55,70,740	8,88,31,675	9,45,19,032
Charges of collecting the Revenues (including cost of Salt and Opium).				
	Co.'s rs.	Co.'s rs.	Co.'s rs.	Co.'s rs.
Charges of collecting the stamp duties	1,27,124	1,37,158	1,49,635	1,40,060
Charges of land, Sayer and Abkarry revenues	44,17,681	47,48,560	44,57,862	42,70,840
Charges of customs	4,77,889	4,76,501	4,80,465	4,80,450
Cost and charges of salt, including payments made to the French and Danish Governments under convention	44,39,792	52,23,054	49,31,034	53,36,743
Cost and charges of opium	54,°2,272	57,32,998	50,56,529	57,77,545
	1,49,44,258	1,63,18,161	1,50,75,516	1,60,15,360
Total nett revenues of Bengal presidency, after payment of allowances and assignments, and charges of collection	6,63,41,585	6,92,52,579	7,32,56,159	7,85,03,452

It is seen from these statements that the territorial revenues at the disposal of the East India Company equal those of the most powerful monarchies. At present they are greater than those of either Russia or Austria, being inferior only to those of Great Britain and France. Still, however, the Company's financial situation is not very prosperous. Vast as their revenue has been, their expenditure appears, in most instances, to have been still larger; and their debts in India,

exclusive of their bond debts at home, amount at present (1846) to probably not less than 40,000,000*l.*

The following account shows the balance between the revenue and expenditure of our Indian dominions, from 1814-15 to 1839-40:—

Account exhibiting the Total Revenues and Charges of the British Possessions in India, in each Year from 1814-15 *to* 1839-40, *both included, exclusive of the Expense of the Expedition into Affghanistan.*—(Compiled from the Parl. Paper No. 574, Sess. 1842.)

Years.	Total Gross Revenue of India.	Cost of Collection and Payments thereout.	Total Nett Revenue of India.	Total Charges in India, St. Helena, &c.	Payments in England on account of India.	Total Charges exclusive of Expense of Collection, &c.	Nett Surplus of Revenue over Expenditure.	Nett Surplus of Expenditure over Revenue.
	£.	£.	£.	£.	£.	£.	£.	£.
1814-15	14,664,213	2,742,966	11,921,347	10,773,382	1,393,618	12,167,200	. .	245,853
1815-16	14,617,709	2,725,747	11,891,962	11,057,265	1,442,126	13,079,391	. .	1,187,429
1816-17	15,334,081	2,824,543	12,509,538	11,686,5.0	1,456,007	13,142,597	. .	633,064
1817-18	15,577,337	2,749,562	12,827,775	12,410,339	1,381,273	13,791,612	. .	963,837
1818-19	16,501,835	3,008,941	13,492,014	13,504,033	1,307,446	14,901,479	. .	1,409,465
1819-20	16,305,763	3,064,223	13,241,530	14,275,710	1,3 2,2 2	14,668,002	. .	1,426,472
1820-21	16,111,321	3,516,555	14,5 2,566	13,166,924	1,289,044	14,456,868	135,898	. .
1821-22	18,480,761	4,070,196	14,410,565	12,648,172	1,349,517	13,997,689	412,876	. .
1822-23	19,644,502	4,880,081	14,764,421	12,106,459	2,806,199	14,912,658	. .	148,237
1823-24	18,034,397	5,260,640	12,773,957	12,364,898	1,295,018	13,657,916	. .	883,959
1824-25	17,608,761	4,438,908	13,169,853	14,365,6 3	1,635,842	16,001,535	. .	2,831,682
1825-26	17,909,789	4,120,198	13,789,591	16,364,724	1,823,285	18,188,009	. .	4,3 8,418
1826-27	19,834,017	4,220,545	15,613,472	15,530,340	2,438,157	17,9 7 ,5 6	. .	2,3 4,034
1827-28	19,413,348	4,740,789	14,672,559	15,630,974	2,051,210	17,681,184	. .	3,008,625
1828-29	19,485,982	4,425,356	14,990,566	14,046,021	1,965,555	16,011,576	. .	1,021,010
1829-30	18,517,122	3,989,249	14,527,873	13,539,562	1,715,084	15,254,646	. .	726,773
1830-31	18,687,142	4,356,982	14,330,160	12,974,320	1,446,581	14,420,961	110,199	. .
1831-32	18,317,237	4,289,440	14,027,797	12,750,728	1,476,655	14,235,378	. .	207,581
1832-33	18,413,175	4,572,862	13,840,313	12,877,109	1,227,536	14,104,645	. .	264,332
1833-34	18,016,917	4,411,233	13,605,584	12,262,549	1,2 3,637	13,556,186	49,398	. .
1834-35	18,628,355	4,458,528	14,169,827	12,201,436	2,162,968	14,364,304	. .	194,477
1835-36	19,543,071	4,116,464	15,426,607	11,675,280	2,109,814	13,985,094	1,441,513	. .
1836-37	19,661,621	4,463,291	15,202,340	11,749,269	2,210,847	13,954,116	1,248,224	. .
1837-38	19,590,679	4,464,378	15,066,301	11,281,538	2,304,445	14,255,983	780,318	. .
1838-39	19,811,552	4,483,866	15,327,693	13,030,455	2,615,465	15,645,920	. .	318,227
1839-40	18,858,719	4,316,104	14,542,615	13,809,716	2,578,966	16,388,684	. .	1,846,069

N.B.—The charges defrayed in England on account of India, include dividends on Company's stock, about 630,000*l.* a-year; interest on home bond debt; invoice value of stores consigned to India; half-pay, and other retired allowances, &c.

However much this account of the financial concerns of our Eastern empire may be at variance with the exaggerated ideas entertained respecting it, as well by a large proportion of the people of England as by foreigners, it will excite no surprise in the mind of any one who has ever reflected on the subject. It is due, indeed, to the directors, to state, that though they have occasionally acted on erroneous principles, they have always exerted themselves to enforce economy in every branch of their expenditure, and to impose and collect their revenues in the best and cheapest manner. But though they have succeeded in repressing many abuses, it would be idle to suppose that they should ever entirely succeed in rooting them out. How can it be imagined, that strangers sent to India, conscious that they are armed with all the strength of government, placed under no real responsibility, exempted from the salutary influence of public opinion, fearing no effectual exposure through the medium of the press, and anxious only to accumulate a fortune, should not occasionally abuse their authority? or that they should manage the complicated and difficult affairs of a vast empire, inhabited by a race of people of whose language, manners, and habits they are almost wholly ignorant, with that prudence, economy, and vigilance, without which it were idle to expect that any great surplus revenue should ever be realised?

An Account of the Public Debts, bearing Interest, outstanding at the several Presidencies in the East Indies on the 30th April, 1843; specifying the Rates and Annual Interest thereon. —(Parl. Paper, No. 362, Sess. 1845.)

	Debts.	Rates of Interest.	Annual Amount of Interest.
BENGAL.	Co.'s Rupees.		Co.'s Rupees.
Registered Debt.			
Loans	1,05,27,608	6 per cent.	6,31,674
Ditto	20,21,24,192	5 per cent.	1,01,06,207
Ditto	12,76,99,077	4 per cent.	51,07,963
Company's rupees	34,03,51,177	. .	1,58,45,844
Loan transferred from Fort Marlbro'	17,047	10 per cent.	1,705
Treasury notes	76,15,795	aver. 5 per cent.	3,82,786
Civil and medical funds	1,65,03,406	6 per cent.	9,90,203
Miscellaneous deposits.	5,17,043	5 and 4 per cent.	22,387
Company's rupees	36,50,04,470	. .	1,72,42,925
NORTH WESTERN PROVINCES, (late Agra Presidency.)		. .	
Temporary loans	23,52,451	5 per cent.	1,42,622
Miscellaneous deposits.	2,00,000	4 per cent.	8,000
Company's rupees	80,52,451		1,50,622

	Debts.	Rates of Interest.	Annual Amount of Interest.
MADRAS.	Co.'s Rupees.		Co.'s Rupees.
Loans	2,62,131	6 and 8 per cent.	18,908
Civil, military, and medical funds.	80,04,519	4, 5, & 6 per cent.	4,14,862
Miscellaneous deposits	4,13,434	4, 5, & 6 per cent.	18,807
Fund for the redemption of the Bonds issued to the Creditors of the late Rajah of Tanjore	5,62,378	4 per cent.	22,496
Company's rupees	92,42,462	. .	5,04,913
BOMBAY.			
Civil annuity and other funds	43,09,798	6 per cent.	2,58,588
Provident and military funds.	51,21,051	5 per cent.	2,56,052
Miscellaneous deposits	6,55,669	4 per cent.	26,227
Treasury notes	57,500	4 per cent.	2,300
Company's rupees	1,01,44,018	. .	5,43,167
Total Company's rupees	33,74,43,401	. .	1,84,41,627
At 2s. per sicca rupee	£36,322,819	. .	£1,728,909

CHAPTER VII.—VITAL STATISTICS.

To exhibit the sanatory state of the British population as accurately as existing materials permit, we shall severally examine the mortality, the sickness, the epidemics, the endemics, the prevailing forms of sporadic disease, and the various ways in which, at all ages, its successive generations perish.

Human existence may terminate at any instant between 0 and 100 years: it may be a constant process of disease, or remain uninterrupted by a day's sickness. On opening a watch, or any piece of mechanism, and observing the state of its springs, chains, or wheels, it is not difficult to foresee how long its movements will continue; but no one, contemplating a solitary individual of the human species, and ignorant of the secret sources of his life, as well as of the many conjunctures of external circumstances in which he may be placed, can foretell the period when some mortal derangement will occur in his organisation; what diseases he will encounter; how long he will suffer, or the hour when his sufferings and his existence will end. The same uncertainty is extended, in the popular thought, to families, nations, and mankind, considered in collective masses; but observation proves that generations succeed each other, develope their energies, are afflicted with sickness, and waste in the procession of their life, according to fixed laws—that the mortality and sickness of a people are constant in the same circumstances, or only revolve through a prescribed cycle, varying as the causes favourable or unfavourable to health preponderate.

MORTALITY.

The physiological changes in the human body intimate that it was framed to continue in healthy action for 70 or 80 years: yet owing to hereditary weakness, or a vicious tendency, and the imperfect adaptation of parts of the external world to its organisation, a certain number of every generation fall sick, and of these a certain number die at all ages: in such a ratio, however, that from birth to the age of puberty the sickness and mortality decline; while from puberty they increase slowly, in a geometrical progression, up to the 50th or 60th year, and then more rapidly to the end. In comparing, therefore, the sanatory state of different nations, it is not enough to know the absolute mortality or sickness to which they are subject; as experience has proved that these may be nearly the same, yet from their bearing differently on the periods of childhood, manhood, or old age, have a very different effect on the national strength and resources.

From observations to which we shall again have occasion to recur, it appears that in manhood, when 1 person in 100 dies annually, 2 at the least are constantly sick: and although this exact relation is, perhaps, not preserved in infancy and old age, or where the rate of mortality deviates much from the standard, it may be safely assumed as an approximation to the truth. Admitting, then, that the annual mortality is 2·19 per cent., after the corrected returns, and that the population of England and Wales is at present (1846) 17,000,000, the total number constantly disabled by sickness will amount to 744,600 persons; and if the same proportions be extended to Scotland and Ireland, to 1,247,000. This reduces the efficient population of the empire 1-23rd part; and the productive power, so far as it depends on human labour, 1-15th part, if the maintenance and attendance of the sick cost half the produce of their labour in health:* an example will show how it would be erroneous to suppose that two populations, in which the same absolute proportion of sick existed, suffered consequently to an equal extent. Two-fifths of the registered deaths occur below 5 years of age, yet the mortality in England has latterly (1841) not been more than 63·5 per 1,000 at this early age: in Sweden it was (1755-75) 90·1 per 1,000; and it is probable that at the same period the mortality of infants in England was not a great deal lower than in Sweden: so that, if sickness have diminished at the same rate, the proportion of infants constantly ill is not by one-third so great as it was a century ago. But children being entirely helpless, and in no way contributing to the nation's actual strength, a diminution of sickness among them, however desirable, adds little immediately to national power and happiness, compared with an improvement in the health of adults, between the ages of 15 and 60 years, such as has been observed in London since the 16th century, when the destructive epidemics ceased.

The magnitude of the subject, and the fact that a million and quarter of the inhabitants of the United Kingdom are disabled by disease and

* In the English provincial hospitals the maintenance and the drugs administered to each patient cost 1*s.* 5*d.* daily; in Paris. 1*s.* 5½*d.*; in London considerably more. —(*British Medical Almanac*, p. 118.)

suffering, is of less importance than the consideration that their condition may be vastly ameliorated. In one class of districts the mortality of boys below 5 years of age, is 145 in 1,000, in another 48 in 1,000: between the ages of 15 and 55 it varies from 18 to 11, implying a difference of 14 men constantly sick in 1000 living. In the former districts about 36, in the latter, 22 are constantly suffering from disease, and absolutely disabled from labour. If the population of the United Kingdom, and the adjacent islands (28,487,000), were as unhealthy as that of Liverpool and Manchester, 1,937000 would be ill, and 968,500 would die annually; whereas if the whole people enjoyed as good health as the inhabitants of other parts of England, only 1,026,000 would be constantly ill, and only 513,000 would die annually on an average. In the former case, the mean duration of life would be 25 years, in the latter 45 years. Whether it be possible or not to raise the standard of health to the height enjoyed in the healthiest counties, or to one still higher, the importance of the subject recommends it to a careful experimental investigation; because, when the character and causes of our diseases are known, some provision may be made for their alleviation; the extent of the injuries which they inflict upon the public will be determined; and the standard of salubrity, indicating an increase or diminution of physical strength, will afford the best index of the prosperity of the nation, and of the extent to which it is affected by atmospherical, political, or economical influences.

The method pursued in obtaining the following results is unexceptionable, and demonstrates that for the last century the mortality of children in London has constantly been on the decline.

I. *Table showing the Births and the Deaths under 5 Years of Age, according to the "London Bills of Mortality," for 100 years, in 5 Periods of 20 Years each; also showing the Number dying under 5 Years out of 100 born.**

	1730–49	1750–69	1770–89	1790–1809	1810–29
Total Births	315,456	307,395	349,477	386,393	477,910
Total Deaths under 5 Years .	235,087	193,694	180,058	159,571	151,794
Dying per Cent. under 5 Years	74·5	63·0	51·5	41·3	31·8

The general question of population has already been examined, and requires no further notice; but the deaths at different ages are so closely connected with health and with the great apparent changes in the diseases of this country, that we shall here present a comparative view of the rate of mortality that prevailed in England, Carlisle, Belgium, and Sweden, from an article in the *British Medical Almanac* for 1836. (See next page.)

Here it appears that the mortality of the whole English population, between the ages of 20 and 40, was higher than in Belgium and Sweden, while the mortality in early life was much lower; and if the Carlisle observations ever approximately represented the mortality of England, the waste of life in the 5 years of infancy has almost dimi-

* On the Diminution in the Mortality of Infants in England, by T. R. Edmonds, Esq.—*Lancet*, vol. i. 1835-36.

nished one-half during the last 100 years. Other observations support this probability.

II. *Table showing, in each of Thirteen Intervals of Age, the Number of Deaths which occur annually for every* 1000 *Persons, living at the same Age, in England, Sweden, and Belgium.*

Between Ages.	England and Wales.					Carlisle.	Belgium.	Sweden	
	Females, 7 Years, 1816-24.			18 Years, 1813-30.		9 Years, 1779-87. both Sexes.	1829, both Sexes.	21 Years, 1755-75, both Sexes.	20 Years, 1776-95, both Sexes.
	Living in 1821.	Dying in 7 Years.	Annual Deaths, per 1000.	Males.	Females.				
0 and 5	774,689	239,482	45·6	53·5	46·0	62·3	65·8	90·1	85·0
5 — 10	682,457	30,173	6·5	7·2	6·7	10·2	8·7	14·2	13·6
10 — 15	569,368	20,244	5·3	5·0	5·2	5·0	5·4	6·6	6·2
15 — 20	531,560	27,341	7·6	7·2	7·6	6·8	6·6	7·6	7·0
20 — 30	991,338	61,701	10·1	10·1	10·6	7·5	9·1	9·2	8·9
30 — 40	649,507	53,417	12·1	11·4	12·4	10·6	10·0	12·2	11·6
40 — 50	540,977	50,214	14·8	14·9	14·9	14·3	13·6	17·4	16·1
50 — 60	352,160	49,671	20·8	23·4	21·6	18·3	21·7	26·4	23·9
60 — 70	249,184	67,918	40·2	45·3	41·2	41·2	38·5	48·1	42·3
70 — 80	124,648	80,138	94·9	101·2	96·9	63·0	90·9	102·3	104·1
80 — 90	36,315	52,318	212·7	227·1	214·8	175·6	178·8	207·8	197·4
90 — 100	3,290	8,169	367·8	370·1	371·9	284·4	304·7	394·1	351·3
Above 100	129	512	586·1	611·1	560·6	..	..	..	..
Ages specified .	5,379,619	741,348	20·3	21·7	20·7	25·0	22·7	26·9	26·8
Ages omitted .	765,050	27,157							
Total enumerated .	6,144,709	768,505							
Estimated omission .	..	106,780		a					

In the 20 years, 1730-49, out of 100 born, 74·5 died under the age of 5 years. During the 20 years, 1810-29, only 31·8 died out of the same number. This table is from a paper of Mr. Edmonds, to whose investigations of the English population returns we shall have frequently to refer.

If half the children formerly cut off at an early age in England be now reared, and form part of the adult population; while the annual deaths between 20 and 30, instead of being 7·6, or 9·1, or 8·9 per 1,000, as in Carlisle, Belgium, and Sweden, are 10·1; it will appear that a vast number of weakly children are every year introduced into the English population, and that, unless proper means be taken to fortify the constitution in manhood, the relative vigour will not increase in the same ratio as the population.

Contrary to the Swedish observations, the mortality of females between the ages of 10 and 40, is higher than that of males: it is only in childhood, and after the 50th year, that the mortality of females is lower than that of males.

The extent to which, at five intervals of age, the mortality, and consequently the intensity of disease, differ in the English counties, is exhibited in the subsequent table (III.), calculated by Mr. Edmonds, on the ascertained ages of the living in 1821, and the deaths during the 18 years, 1813-30. The counties are arranged chiefly according to the rate of mortality among females between the ages of 15 and 60 years. Mr. Edmonds conceived that the mortality of males at the same interval of age would not serve as a good index of the healthfulness of a locality, unless we could abstract the detrimental effect of their occupations, leading to fatal accidents or to loss of health. In many counties also, the amount of the military and maritime population

(which was not enumerated) diminishes considerably the value of the apparent mortality of the male sex.* (See Table III.)

III. *Table showing for each County of England the Annual Deaths which occur for every Hundred Living in each of Five Gradations of Age, the Counties being classified according to the Mortality of Females between the Ages of Fifteen and Sixty Years.*

	Wales and the Forty-two Counties.	Males (without correction).						Females.						Living in 1821.	Proportion engaged in Agriculture, 1821.
		0-5	5-15	15-30	30-60	Above 60	All Ages.	0-5	5-15	15-30	30-60	Above 60	All Ages.		
1.	Cornwall	3·59	·50	·79	1·41	7·63	1·82	3·12	·52	·67	1·10	7·18	1·67	183	28 per cent.
	Devon	4·55	·53	·82	1·43	7·56	2·01	3·96	·54	·71	1 23	7·12	1·85	231	41 ,,
2.	Wales	3·84	·53	·90	1·38	7·50	1·90	3·38	·52	·75	1·25	7·03	1·79	367	51 ,,
	Monmouth	4·23	·49	·76	1·25	7·12	1·79	3·51	·49	·77	1·32	6·82	1·90	35	43 ,,
	Dorset	3·93	·47	·81	1·25	7·02	1·86	3·32	·51	·85	1·35	7·12	1·81	76	43 ,,
	Somerset	4·34	·56	·80	1·41	7·37	1·97	3·80	·57	·83	1·34	7·09	1·97	185	43 ,,
	Wilts	3·66	·49	·79	1·31	7·21	1·83	3·25	·53	·87	1·40	7·40	1·94	114	52 ,,
3.	Gloucester	4·24	·55	·83	1·48	6·90	1·91	3·55	·49	·83	1·35	6·50	1·76	175	8 ,,
	Hereford	3·38	·46	·78	1·28	7·66	1·80	3·13	·51	·95	1·36	7·27	1·88	52	62 ,,
	Northumberland	3·97	·59	·83	1·38	6·73	1·80	3·25	·54	·74	1·32	6·55	1·72	104	27 ,,
	Cumberland	4·74	·61	·87	1·42	7·68	2·06	4·46	·61	·81	1·35	7·32	1·98	81	36 ,,
	Westmoreland	3·87	·67	·87	1·40	7·54	1·97	3·49	·58	·98	1·47	7·35	2·03	26	49 ,,
	North York	3·79	·53	·87	1·24	7·30	1·91	3·17	·55	·96	1·34	7·04	1·98	93	43 ,,
4.	Rutland	4·37	·44	·63	1·31	7·59	1·96	3·84	·55	·58	1·38	7·32	2·01	9	61 ,,
	Norfolk	5·20	·54	·94	1·34	7·21	2·08	4·40	·55	·88	1·31	7·02	1·97	177	49 ,,
	Suffolk	3·73	·45	·81	1·19	6·56	1·78	3·34	·49	·15	1·27	6·83	1·80	138	56 ,,
	Hertford	4·48	·54	·90	1·45	8·32	2·00	4·03	·54	·92	1·42	7·62	1·91	66	52 ,,
	Durham	5·34	·84	1·15	1·51	7·97	2·38	4·49	·72	·91	1·54	7·53	2·14	109	21 ,,
	East York	5·48	·63	·94	1·38	7·59	2·17	4·66	·60	·89	1·41	7·17	1·98	98	38 ,,
5.	West York	5·18	·62	·88	1·41	7·38	2·09	4·57	·56	·93	1·48	7·32	1·98	402	20 ,,
	Leicester	5·21	·52	·81	1·33	7·26	2·04	4·38	·51	·91	1·41	7·30	1·95	88	35 ,,
	Lincoln	5·13	·56	·78	1·44	7·39	2·07	4·39	·58	·90	1·45	7·25	1·98	141	59 ,,
	Salop	4·56	·81	·98	1·52	7·45	2·08	3·91	·57	1·02	1·42	7·37	1·98	104	44 ,,
	Derby	4·38	·56	·92	1·29	7·38	1·94	3·72	·54	1·07	1·50	7·63	1·91	107	34 ,,
	Northampton	4·64	·55	·81	1·32	7·37	2·05	3·97	·63	1·10	1·52	7·49	2·06	83	53 ,,
	Huntingdon	4·72	·57	·94	1·35	7·55	2·09	4·21	·63	1·00	1·52	7·32	2·02	25	62 ,,
	Essex	4·41	·56	·92	1·34	7·38	2·05	3·95	·61	1·06	1·53	7·29	1·97	145	56 ,,
6.	Bedford	4·17	·58	·78	1·34	7·51	1·92	3·49	·65	1·14	1·53	7·40	1·95	43	62 ,,
	Bucks	4·72	·53	·81	1·34	7·65	2·05	3·88	·63	1·10	1·54	7·96	2·08	69	58 ,,
	Oxford	4·97	·59	·78	1·36	7·82	2·05	4·14	·53	·99	1·47	7·92	2·01	68	55 ,,
	Berks	4·72	·53	·90	1·51	7·99	2·12	4·16	·55	1·05	1·53	7·69	2·08	66	53 ,,
	Southampton	4·43	·55	·99	1·53	7·88	2·10	3·77	·53	·96	1·52	7·68	1·91	145	42 ,,
	Sussex	3·93	·51	·91	1·35	7·16	1·87	3·21	·50	1·08	1·45	7 00	1·79	116	50 ,,
	Lancaster	6·56	·71	1·04	1·64	7·68	2·40	5·78	·65	1·02	1·73	7·59	2·24	540	11 ,,
	Chester	5·57	·71	1·07	1·63	8·20	2·32	4·78	·68	1·11	1·76	8·22	2·22	187	35 ,,
	Nottingham	6·38	·61	·90	1·41	7·18	2·27	5·37	·62	1·06	1·57	7·04	2·16	95	35 ,,
7.	Stafford	5·98	·68	1·06	1·60	7·58	2·34	5·43	·62	1·07	1·58	7·41	2·20	169	27 ,,
	Warwick	6·12	·63	·90	1·68	6·16	2·26	5·29	·64	·93	1·53	6·03	2·08	141	28 ,,
	Worcester	5·31	·65	·93	1·47	7·34	2·26	5·21	·62	1·04	1·51	7·21	2·15	94	38 ,,
	Cambridge	5·86	·71	·90	1·63	7·85	2·34	5·08	·71	1·03	1·62	7·85	2·22	62	61 ,,
	Kent	5 60	·66	1·41	2·04	7·82	2·51	4·75	·61	1·02	1·63	7·69	2·14	216	36 ,,
8.	Surrey	7·75	·71	1·05	2·12	9·31	2·81	6·40	·69	·92	1·77	8·78	2·41	209	17 ,,
	Middlesex	8·34	·84	1·08	2·46	11·02	3·03	6·77	·78	·83	1·96	10·36	2·53	611	4 ,,
	England and Wales	5·30	·61	·94	1·59	7·77	2·21	4·56	·60	·93	1·52	7·53	2·05	6,145	34 per cent.

The numbers representing the mortality in thirty-nine counties have been obtained by increasing the registered deaths one-ninth part. In the case of Wales, Monmouth, Middlesex, and Surrey, the increase has been one-fourth part. The relative weight of each observation is indicated by the additional column representing in thousands the amount of the female population of each county.

We leave the reader to investigate the causes which increase or diminish mortality in the several counties, and to compare their geological, botanical, meteorological, and economical states, with this table. It will be observed, that the healthiness of each class of counties decreases from Cornwall and Devon, the healthiest in England, to Cambridge, Kent, Surrey, and Middlesex, where the mortality is greatest. A slight diminution of the mortality, varying from ·05 to ·09 is required, between the ages of 15 to 60, in some of the counties where the maritime and military population was not enumerated, although its deaths are recorded in the parish registers. This correction has been made in Table IV.

* Lancet, vol. i. 1835-36. No 12.

IV. *Table showing, in each of Six Gradations of Age, the Mortality per Cent. of each Sex in each of Eight Classes of English Counties.*

Class.	Males (corrected).*						Females.					
	0-5	5-10	10-15	15-30	30-60	Above 60	All Ages.	0-5	5-10	10-15	15-30	30-60	Above 60	All Ages.
				1·10										
1	4·10	·63	·38	·75	1·36	7·56	1·90	3·65	·63	·41	·70	1·18	7·14	1·78
2	3·87	·60	·44	·68	1·31	7·46	1·63	3·80	·59	·48	·75	1·26	7·06	1·79
3	4·14	·63	·44	·76	1·32	7·15	1·86	3·58	·51	·47	·83	1·35	6·96	1·13
4	4·36	·58	·44	·80	1·23	7·30	1·92	3·76	·55	·52	·82	1·35	7·12	1·20
5	5·24	·72	·52	·56	1·38	7·47	2·09	4·52	·64	·52	·52	1·47	7·33	2·00
6	4·45	·62	·47	·17	1·40	7·62	1·99	3·81	·58	·55	1·05	1·50	7·51	1·96
7	6·11	·78	·56	1·03	1·64	7·64	2·34	5·33	·71	·56	1·03	1·65	7·48	2·18
8	8·19	1·05	·53	·05	2·27	10·72	2·18	6·68	·95	·53	·65	1·91	9·95	2·50
					1·90									
Total	5·30	·72	·49	·88	1·58	7·77	2·15	4·56	·66	·52	·93	1·52	7·53	2·05
					1·33									
Table of "Mean Mortality," when period of "Infancy" terminates at seven years							4·47	5·77	·65	·86	1·66	7·62	2·09	

Except Cambridge, it will be found that, generally, the counties having the greatest proportion of inhabitants congregated in towns are the most unhealthy. Above 60, the mortality in these counties would have been higher, had the ages of the inhabitants of Birmingham, Bristol, Newcastle-upon-Tyne, Manchester, Leeds, and some other large towns, not been omitted, in some unaccountable manner, in the specification made in 1821. Through this omission, and the uncertainty in the parish registry, it is impossible to ascertain the present mortality prevailing in many of our large towns. The population returns do not furnish materials for determining the mortality, except in the six towns subjoined: the absolute mortality in which is stated, on the assumption that the registered deaths are to be increased 20 per cent. in order to obtain the true number of deaths; while, in the whole of England and Wales, the estimated increase was 13·92 per cent. Fortunately the valuable observations collected in Glasgow by the "Committee on Churchyards," comprising an accurate return of the deaths during 15 years (1821-35), and two enumerations of the living, and their ages, come here to our assistance: they have furnished Mr. Edmonds the materials for determining very accurately the mortality in Glasgow during the three last quinquennial periods. The public spirit of the Glasgow town council, and the exertions of Dr. Cleland, in obtaining a second voluntary enumeration of the living, and their ages, in 1831, are as honourable to them, as the omission of the ages in 1831 is discreditable to the persons who directed that census in England and Scotland.

V. *Table of the Annual Mortality per Cent. at every Age in Glasgow during the Fifteen Years, 1821-35, compared with the Mortality prevailing during Eighteen Years, 1813-30, in Six large English Towns, viz., York, Norwich, Plymouth, Hull, Portsmouth, Liverpool, and London.*

Between Ages	1813-30. Six Towns of England.	1821-35. Glasgow.	1813-30. London.	Between Ages	1813-30. Six Towns of England.	1821-35. Glasgow.	1813-30. London.
0— 5	8·68	8·10	8·27	60—70	5·83	6·04	7·34
5—10	1·03	1·24	1·08	70—80	12·10	13·57	15·23
10—20	0·73	0·76	0·60	80—90	24·62	23·81	29·91
20—30	1·39	1·17	1·07	Above 90	42·72	42·55	33·55
30—40	1·56	1·57	1·52				
40—50	1·96	2·31	2·29	All Ages.	2·05	2·53	2·84
50—60	3·00	3·50	3·61				

* The apparent mortality of the male sex between 15 and 30, between 30 and 60

By comparing the mortality prevailing in these towns with that of England, it will be seen how much the chances of dying are increased among the mass of people dwelling in cities.

To show what variation has taken place in Glasgow during the last 15 years, the following table was constructed:—

VI. *Table showing, for each of Three Quinquennial Periods, the Average Annual Deaths which occurred in each Interval of Age, out of* 100 *Living at the same Interval; also showing the Annual Mortality for the Four last Years, exclusive of the Year of Cholera.**

Between Ages	Males.			Females.			Third Period, exclusive of Year of Cholera.	
	1821-25	1826-30	1831-35	1821-25	1826-30	1831-33	Males.	Females.
0— 5	8·08	7·47	9·78	7·66	7·10	8·52	9·51	8·29
5—10	1·31	1·14	1·31	1·26	1·11	1·31	1·26	1·24
10—20	·74	·62	·95	·71	·61	·73	·93	·67
20—30	1·23	1·32	1·51	·83	·84	1·12	1·46	·92
30—40	1·35	1·56	2·14	1·24	1·32	1·85	1·77	1·48
40—50	1·82	2·31	3·19	1·65	2·06	2·87	2·60	2·21
50—60	2·84	3·71	4·11	2·68	3·36	4·30	3·29	3·51
60—70	5·72	6·38	6·87	4·67	5·74	6·72	6·00	5·50
70—80	12·70	15·45	17·90	10·48	11·88	13·92	15·54	11·02
80—90	21·27	29·07	30·33	16·78	21·97	23·50	28·34	22·72
Above 90	56·29	54·60	37·36	31·04	31·52	44·48	86·09	42·76
All Ages	2·78	2·91	3·59	2·87	2·40	2·93	3·31	2·62
30—60	1·84	2·27	2·89	1·69	1·90	2·66	2·35	2·12
Above 60	8·91	10·23	10·95	7·32	8·70	9·77	9·60	8·37

This table deserves serious attention; it places beyond all doubt the remarkable fact that, "between the ages 30 and 60, the mortality of each sex increased 20 per cent. every 5 years. This is the case after deducting 10 per cent. from the actual average of the 5 years, 1831-35, for the effect of the cholera visitation in 1832. The mortality in 1832, between the ages of 30 and 60, really raised the average 20 per cent." By comparing the two last columns of the table with the third and sixth, it becomes evident that cholera increased the mortality principally between the ages of 20 and 70.

Through the ignorance, not yet wholly dispelled, of the conditions of animal existence prevailing when large towns were built, the social and intellectual advantages which they offered were in part neutralised, and in some instances overbalanced, by their baleful influence upon the health and physical strength of the inhabitants. It is probable that at one time the population of several cities in England was only maintained by immigration; and when large towns were designated "the graves of mankind," experience and calculation sanctioned the appellation. Besides certain vices, and the misery of the poor, in cities, the crowding in close rooms, the collection of putrid effluvia, and the imperfect drainage of excretions and refuse animal or vegetable matter, are the main sources of insalubrity where masses of men are collected. A city on a well-selected site, constructed with a view to the supply of atmospheric air, and the removal of all refuse matter, whether gaseous,

and at all ages, has been diminished by ·06 in the total, and in classes 1, 2, and 3; it has been diminished by ·03 in classes 4, 5, 6, and 7; and by ·10 in the eighth class.

* *Lancet*, 1835-36, No. 12. The materials from which these tables have been deduced were communicated to Mr. Edmonds by Henry Paul, Esq., the convener of the Committee on Churchyards in Glasgow; and have been published in the *Lancet*.

liquid, or solid, may undoubtedly be rendered little less healthy than the country. The increasing mortality in Glasgow is in part due to the accession of Irish population, who amounted, in 1831, to 35,554,or to more than a sixth part of the inhabitants. The Irish, we strongly suspect, are keeping up, if they be not introducing, the fevers of their wretched country into the heart of the British cities; this is confirmed in the case of Glasgow, by the ages at which the mortality is principally augmented, and by a Report of the Glasgow Infirmary, from which it appears that, in the year 1835, out of 3,260 patients treated, 1,258 had fevers, and of these 125 died.*

* This passage has inflamed the patriotism of an Irish reviewer; and Dr. Cowan, in a recent pamphlet, imagines that he has proved it to be incorrect. Dr. Cowan, however, has merely stated that the mortality increased, under 10 years of age, down to 1835; a fact which has been established in the preceding page, not by the isolated experience of single years, but by the three series of quinquennial observations. We admit this; but until some shadow of reasoning shall be advanced in favour of the opposite opinion, we cannot cease to consider the poor Irish immigrants accumulated in English cities, a prolific source of epidemic disease. They enter this kingdom through three principal ports—Bristol, Liverpool, and Glasgow. And what are their circumstances on entering? Dr. Symonds frequently found in Bristol a family of 5 or 6 "Irish adventurers" with one threadbare blanket among them. "It is a common circumstance," he says, "for a house to be tenanted by 5 or 6 families. We have found 13 individuals, men, women, and children, living promiscuously in one garret of no very large dimensions. On one occasion it happened to us to discover that 30 individuals had, on one night, slept in a room, the measurements of which did not exceed 20 ft. by 16 ft. The people thus congregated were Irish; they chanced to be on their way from London to their native country. At that period cholera was hovering over us, and, on the night to which we refer, it swooped down on 9 out of the 30, and 7 became corpses in the course of a few hours. * * They were under the scarcely less noxious agency of a loathsome diet."* It is calculated that the Irish in Liverpool amount to 30,000; and fever is nearly as prevalent in Liverpool as in Glasgow. The admissions into the fever ward were, in the year ending March, 1834, 1,102; 1835, 1,097; 1836, 1,680; 1837, 2,447; 1838, 2,816. In the latter year, 2,558 cases were treated, and 419 died of fever.† It is said that Manchester, Leeds, and other manufacturing towns, in which the Irish are numerous, are comparatively free from fever. But are the Irish themselves free from fever in the inland towns? Dr. Walker, physician to the Huddersfield Infirmary, observes: "The most irksome part of our duty is the visiting the vast number of Irish domiciled in the numerous lodging-houses; where we are never without some, and usually a large number of typhus cases. Last year it was very fatal. Two Catholic priests have fallen victims to it from attending these lodging-houses. We have now about 40 or 50 cases of typhus among the Irish, most of whom require visiting. I have now been in the constant habit of giving gratuitous attendance to the out-patients of our charity for nearly a quarter of a century, and though it has fallen to my lot to see as many disgusting spectacles among the abodes of disease and poverty as any other medical man can have done, yet the present loathsome condition of our Irish lodging-houses surpasses any thing I have seen or read of in England."‡ If we follow these wanderers to the metropolis, disease is always found in their track: in the high healthy Highgate there is "a lodging-house, which is inhabited by a great number of the lowest and most abandoned persons, chiefly Irish beggars. These people frequently sleep three or more in a bed, which appears never to be changed or cleaned. There are 4 or 5 beds in some of the rooms, which are very imperfectly ventilated. This is a constant and prolific source of disease during summer and autumn; fever is seldom absent, and it is not without risk of infection that the sick can be visited. Within

* Trans. of the Prov. Med. and Surg. Assoc., vol. ii. p. 167, 168.
† Medical Annual, 1839, p. 70.
‡ Medical Annual, 1838, p. 85.

No materials exist for determining the relative mortality at different ages in Scotland and Ireland; the proportions specified, in the enumeration of ages above 60, furnish, however, a certain approximation to the truth. The number living above 60, for every 100 living between 30 and 60 years was, in

England and Wales	(Females)	27·5
Scotland	(Females)	28·0
Ireland	(Males and Females)	15·7
Belgium	(Males and Females)	30·3*

The proportion of old people in Ireland is little more than half the proportion living in Belgium: Scotland, in this respect, differs little from England.

The preceding tables and observations are founded on the returns of burials obtained from the clergy by Mr. Rickman in 1831. We have retained them in the present edition, for though the records are imperfect, they were skilfully corrected by Mr. Edmonds, and analyzed, so as to represent approximatively the mortality in different parts of England during the 18 years which ended in 1830. The census of 1841, and the new system of registration already described, supply the means of accurately determining the rates of mortality, and the average duration of life in all parts of the country. A series of calculations is now in progress, having the objects in view, and the Registrar-General has permitted us to print the subsequent tables selected from those already completed.

the last year 11 cases of severe disease have occurred in this house, mostly to be traced to the above causes: of the 11, 5 have died."† Typhus is endemic among the Irish in St. Giles and St. George, Bloomsbury, and in no other parish so far west. Let us return to Glasgow. Will a physician, so candid, and so well informed as Dr. Cowan, maintain that 35,554 persons in such circumstances, and of such habits, can be introduced into any city with impunity? Will not the diseases, generated in their crowded loathsome dwellings, be communicated to the other inhabitants; whether by contagion or otherwise we stop not to inquire? And if epidemics originate in their huts in their own country, what is likely to take place in a crowded city, with narrow streets, and bad sewers? The population of Glasgow, in 1831, was found to be 202,426; and 35,554 were Irish. Dr. Cowan ascertained that, of 2,513 cases of fever received in 1836 at the Fever Hospital, 757 were Irish ‡ If the population had remained stationary, the proportion of the admissions in each class to the living would have been as follows:—

Irish population, 1,000.—Cases of fever sent to hospital in the year, 21
Scotch, &c. - 1,000.—Cases of fever sent to hospital in the year, 10

Fever was twice as frequent among the Irish as among the other inhabitants, according to this calculation; and as patients were daily refused admission for want of room, it is not probable that the Irish were admitted in undue proportion, to the exclusion of the Scotch.

In directing attention to a weighty sanatory fact, it is far from our intention to convey any reflection upon the Irish people. We shall, in treating of epidemics, show that the English were formerly in as bad a condition as the Irish; and we must say we had imagined that any attempt to prove that England is vitally interested in the prosperity and happiness of Ireland would be rendering neither country disservice; and we think so still.

* On the Law of Mortality in each English County, by T. R. Edmonds, Esq.—*Lancet*, 1835-36, vol. i. p. 415.

† Mr. R. Moger, surgeon to the Highgate district, *Fourth Rep. of the Poor Law Commissioners*, p. 78.

‡ Vital Statistics of Glasgow, by Dr. Cowan, p. 16.

Population, Deaths, and Mortality.

POPULATION, JUNE 6th—7th, 1841.

AGE.	Manchester, Town Sub-Districts.*		Liverpool.†		London.		Manchester, Country Sub-Districts.‡		Kent, (exclusive of Greenwich, Woolwich, and Deptford).		Surrey,§ (Extra-Metropolitan Districts of).	
	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.
0	2,335	2,412	3,362	3,348	22,705	24,173	382	409	5,948	6,129	2,220	2,395
1	2,203	2,193	3,004	2,935	22,360	22,946	338	4 4	5,995	5,928	2,257	2,317
2	2,188	2,266	2,918	3,022	21,609	24,292	356	395	6,3 8	6,516	2,333	2,336
3	1,909	1,944	2,835	2,729	21,5 3	22,907	363	353	6,203	6,0 9	2,324	2,357
4	1,620	1,876	2,480	2,453	20,076	20,977	364	346	5,995	5,912	2,375	2,220
0	10,455	10,637	14,450	14,492	111,883	115,707	1,863	1,902	30,424	30,614	11,713	11,805
5	8,531	8,695	10,983	11,245	94,117	96,834	1,705	1,714	29,075	28,514	11,320	11,367
10	8,530	8,071	10,554	10,38	86,771	87,890	1,4 3	1,581	26,433	25,454	10,76	10,102
15	15,828	18,373	21,339	25,453	1,2,818	214,768	2,73	3,333	44,676	46,150	1 ,3 8	17,222
25	14,485	15,620	22,374	23,4 5	163,723	197,256	2,260	2,491	32,390	36,127	14,153	14,453
35	10,346	10,694	14,777	14,100	119,801	134,474	1,637	1,651	25,243	25,838	10,407	10,537
45	6,065	6,515	7,504	7,841	77,173	86,993	1,09	1,108	18,752	18,913	7,765	7,695
55	3,069	3,604	3,738	4,403	42,757	50,514	623	652	12,496	12,63	5,018	5,015
65	1,349	1,662	1,553	2,053	20,646	27,481	269	300	7,650	7,929	2,676	3,054
75	351	520	435	683	5,890	9,414	82	101	2,906	3,021	1,182	1,2 2
85	40	80	59	106	727	1,453	12	7	355	535	142	217
95 and upwards	9	2	3	19	49	94	..	1	11	25	4	16
All specified Ages	79,023	84,533	108,339	114,239	695,760	1,022,878	13,702	14,841	230,466	235,653	92,823	92,835
Ages not specified	207	88	305	70	5,375	977	3	1	2,761	1,243	1,615	5 0
All Ages	79,235	84,621	108,644	114,359	901,135	1,023,855	13,705	14,842	233,227	236,902	94,443	93,425

DEATHS IN THE SEVEN YEARS 1838—1844.

0	5,675	4,680	7,155	6,004	37,302	30,426	5 2	441	7,443	5,726	2,338	1,821
1	2,663	2,538	3,580	3,455	16,770	15,953	2208	179	2,156	2,001	705	597
2	1,202	1,262	1,856	1,743	9,249	9,040	75	96	1,178	1,181	412	416
3	756	823	1,172	1,038	5,934	6,013	52	59	921	848	284	311
4	537	580	767	720	3,963	3,948	44	56	648	646	243	237
0	10,833	9,893	14,530	12,960	73,218	65,380	971	888	12,346	10,402	3,982	3,382
5	914	955	1,333	1,252	8,185	7,825	122	92	1,680	1,628	705	665
10	844	892	466	434	2,958	2,857	55	67	898	935	340	3 3
15	1,086	1,220	1,476	1,407	9,384	9,343	140	161	2,764	2,653	853	915
25	1,875	1,403	2,030	2,007	12,557	12,906	130	179	2,511	2,329	823	858
35	1,525	1,379	2,221	1,735	15,075	13,018	143	160	2,201	2,039	841	720
45	1,375	1,361	1,767	1,548	14,268	12,207	139	150	2,118	1,738	817	735
55	1,229	1,176	1,387	1,441	14,438	13,524	133	154	2,493	2,243	1,011	946
65	1,007	1,049	1,155	1,347	13,340	15,036	145	139	3,306	2,929	1,354	1,175
75	502	605	631	872	7,514	10,626	96	93	2,853	2,576	1,213	1,185
85	86	149	133	229	1,604	3,077	21	18	772	1,023	326	426
95 and upwards	10	20	7	33	124	260	2	2	41	73	16	44
All specified Ages	20,265	19,602	27,149	25,220	173,213	166,147	2,108	2,048	33,990	30,778	12,271	11,484
Ages not specified	23	32	148	51	318	191	4..	3	80	37	13	9
All Ages	20,288	19,634	27,297	25,271	173,531	166,338	2,108	2,051	34,060	30,810	12,284	11,493

ANNUAL MORTALITY PER CENT.

0	34·637	27·413	26·419	25·609	23·347	17·965	22·094	15·397	17·985	13·282	14·729	10·791
1	17·227	16·572	17·039	16·310	10·687	9·922	7·451	6·327	5·075	4·799	4·386	3·657
2	7·329	7·954	9·094	8·237	5·341	5·262	3·004	3·635	2·609	2·565	2·204	2·328
3	5·644	6·046	6·241	5·432	3·905	3·747	2·042	2·263	2·079	1·977	1·716	1·965
4	4·205	4·415	4·422	4·188	2·724	2·699	1·723	2·211	1·528	1·554	1·437	1·515
0	14·767	13·209	14·377	12·771	9·360	8·065	7·481	6·254	5·739	4·831	4·773	4·066
5	1·527	1·569	1·735	1·590	1·236	1·153	1·020	·766	·817	·811	·875	·830
10	·575	·634	·631	·597	·483	·464	·523	·605	·478	·522	·443	·520
15	·960	·948	·987	·789	·768	·621	·722	·690	·875	·621	·650	·734
25	1·353	1·233	1·268	1·220	1·089	·934	·877	1·026	1·098	·917	·816	·842
35	2·101	1·842	2·163	1·601	1·603	1·382	1·245	1·324	1·233	1·122	1·135	1·051
45	3·220	2·983	3·367	2·887	2·738	2·016	1·964	1·983	1·522	1·457	1·459	1·357
55	5·702	4·660	5·305	4·668	4·799	3·821	3·018	3·373	2·821	2 523	2·829	2·673
65	10·638	9·014	10·634	9·370	9·182	7·809	7·685	6·616	6·110	5·252	6·383	5·469
75	20·382	16·615	20·740	18·232	18·120	16·110	17·088	13·149	13·905	12·123	14·398	13·119
85	30·641	26·598	32·230	30·851	31·351	30·226	24·949	36·719	30·747	27·317	32·238	27·802
95 and upwards	‖	..	33·361	28·561	35·163	39·378	..	..	52·699	41·513	56·169	39·029
All Ages	3·655	3·312	3·533	3·151	2·749	2·318	2·193	1·971	2·085	1·857	1·856	1·736

* Manchester town sub-districts, are, Ancoats, Deansgate, St. George, London-road, Market-street.

† Liverpool comprises the whole of the Liverpool district.

‡ Manchester country sub-districts, are, Blackley, Cheetham, Failsworth, Newton, Prestwich.

§ Extra metropolitan districts of Surrey included in the Table; Richmond and Kingston, Cherts y and Epsom, Croydon, Godstone, Reigate and Dorking, Guildford, Farnham, and Hambledon.

‖ The facts after the age 95, are too few and uncertain to deserve attention in any of the districts. The results are not given here for Manchester.

Note.—The mortality against the age 5, is the mortality amongst persons of the age of 5 and under 10, and so of other ages.

The Table is read thus:—The mortality in Manchester amongst boys of the age of 0 and under 5, is 14·767 per cent. annually; of men of the age of 45 and under 55, it is 3·220 per cent.; at the same ages in the extra-metropolitan part of Surrey, the mortality is only 4·772 per cent., and 1·459 per cent.

On the mode of expressing Age.—In ordinary language, a person who was 20 at his last birth-day, is called 20 until he is 21; so in these Tables the number living placed against the age 25 are the numbers living at the age 25, and at all ages under the next age in the column, namely 35; and so in other cases.

The results are every way remarkable. How many persons would perish prematurely in the most favourable circumstances, we have no means of knowing; but here on one side of the table, we see that in Surrey, 12,284 males of all ages died in seven years, out of an average population of 94,443, while the other shows a loss of 20,288 lives in the same time, out of the much smaller average population of 79,235. The mean annual mortality per cent. was in Manchester 3·635, Liverpool 3·583, London 2·748, the suburban parts of the Manchester district 2·193, Kent 2·085, Surrey 1·856. One male in 27 died annually in Manchester, one in 54 in Surrey. The mean duration of life in Manchester is 25 years, in Surrey more than 45 years. Brief as man's life is by the law of nature, it is rendered briefer by the circumstances to which the people are now exposed in Manchester, Liverpool, and all other large towns. What these circumstances are is as well known as the causes of the mortality which ravaged camps, fleets, and prisons in former times. They affect males and females of every occupation, and of all ages. The mortality among children under 5 years of age is appalling. While 48 boys of 1000 die in Surrey, and 57 in Kent, 144 die in Liverpool, and 148 in Manchester! Between the ages of 15 and 25, there is a great influx of the healthier portion of the country population into the towns, which grow by the immigration of adults, as well as by indigenous births; accordingly the mortality at the age of 15-25, appears lower in towns, and higher in the country than it is, if allowance be made for the derangement thus produced in the tables. The mortality of females in London is so low as 6 in 1000, at an age when the mortality in the surrounding counties is from 7 to 8 in 1000. Among young men of 15-25 in London, the mortality is 8 in 1000. In the after age 25-35, the mortality of males and females is still kept down by the accession of healthy lives; from 35 to 45, when immigration ceases, the disturbance is less considerable; and at 45 to 55 is felt the full influence, no longer masked, of the deleterious atmosphere of towns poisoned by slaughter-houses, cesspools, bad sewers, the bodies of the dead, and the breath of the living, all commingled in the fluid air of which a man drinks a gallon a minute as long as he lives. At this age (45-55) the deaths to 1000 men living, are in Liverpool 34, Manchester 32, London 27, the country sub-districts round Manchester 20, Kent 16, and Surrey 15. At the age 55-65, the mortality is in Manchester 57 in 1000, Liverpool 53, London 48, Manchester country sub-districts 30, Kent 28, Surrey 28. If the mortality of females be compared, similar results will be obtained. This fact, as well as the slight difference between the mortality in Manchester and Liverpool, and the other great fact, that the mortality falls on the children in towns at all ages, from birth to 10 years of age, before their employment in any business has commenced, if they prove nothing against the influence of occupation on health, demonstrate that the mortality in towns is due to general causes, and not to any particular modification of the labour in which the inhabitants are engaged.

Government have it, we understand, in contemplation to introduce a sanatory measure, which if judiciously conceived, and efficiently carried out, will accelerate that improvement of the health of towns, which has been going on so slowly since the time of the last great plague and the fire of London.

Kings and Peers.—The average reigns of kings should correspond with the expectation of life at the period of accession. This varies in elective and hereditary princes. The mean age at accession is higher, and the reigns shorter, in the former, than in the latter case. The popes represent the electoral system; 156 successors of St. Peter occupied the papal chair 1023 years (800—1823). Each continued pope at an average 6½ years. In England, from William the Conqueror to William IV., 34 sovereigns reigned 763 years; the mean age at accession was 30 years, and the mean length of the reigns 22½ years. The hereditary kings were younger men on their accession than the popes: the kings who gained the throne by violence, or were chosen by the people, have been above 30 years of age in England. William the Conqueror was 42 years of age; Cromwell, 52; William III., 39; George I., 55; at the time they ascended the throne. When, as in the case of George IV. and William IV., the crown devolves upon a brother, the age at accession is advanced, and the reign shortened. The ancients reckoned three generations to a century; and the estimate is very near the truth, where the line is uninterruptedly kept up from father to son. In the English peerage 31¼ years intervene, at an average, between the birth of father and son, in the line of ancestors of any peer. Newton, in his Chronology, found, upon taking 11 monarchies, that 189 kings reigned 3,597 years; and that the mean of all the reigns was 19 years.

Of the 34 English sovereigns, 10 died violent deaths; 2 died in battle; 3 by accidents; 1 was publicly executed; 4 were assassinated by other sovereigns. Suspicion of poisoning was popularly entertained in other instances. The mean expectation of life, of the 34 sovereigns at the time of their accession, was 33 years, according to the English table: they should, therefore, have died aged 63; but died actually at the age of 52½; their life was 11 years shorter than it should have been, according to the rate of mortality prevalent among the people generally in the present century. If the Manchester life table, (7th Report of Registrar-General, 8vo. p. 338,) which represents a lower mortality, be referred to, the mean duration of the reigns should have been 27 years, instead of 22½ years.

These facts point out the dangers which have surrounded the throne; they evince no less distinctly the progress of civilisation, in the increased security of life enjoyed by the heads of the government. Of the 17 first sovereigns, 7 died violent deaths; of the 17 last, (including Charles I.), only three died violent deaths. Sharon Turner gives lists of the reigns in the kingdoms of Kent, Wessex, Bernicia (Northumbria), and Mercia, from which it appears that the mean duration of 83 reigns, between A.D. 449—836, was 14 years: from Egbert to Harold II. (800—1065), 20 kings reigned, each upon an average 13 years. This proves incontestably that the life of sovereigns is infinitely safer in popular than in despotic—in civilised than in barbarous states. The same truth is exhibited by the following observations. In Germany (1056—1792), the reigns of 38 emperors lasted at an average 19 years; in Sweden (1066—1818), 41 kings reigned 752 years, 18 years each; in Russia (1073—1825), 50 czars reigned 750 years, or upon an average 15 years, when the English kings reigned 22½ years! The

lives of the nobles partook of the insecurity of those of the sovereigns, in the early ages; and they were equally interested in the progress of civilisation, which mitigated violence, and suppressed many other causes of premature death.*

The mortality of English peers has been investigated by Mr. Edmonds.† The inquiry extended to 707 peers. The author reduced the number to 675 peers, by excluding 32 whose deaths were violent or accidental: a proceeding by which he probably proposed to render the results more applicable to the peerage of the present day; as it would otherwise have been unjustifiable to exclude deaths which are, in certain states of society, of constant occurrence, and only accidental in the same sense as a fever or a pleurisy. The number of lines of succession was 109; the number of peers observed, 675; the aggregate of ages at accession, 20,390; the aggregate of years of rule, 17,931; the average age at accession 30·21 years; the average period of rule, 26·56 years.‡ The *expectation*, or mean duration of life after accession, when the peer acceded between the ages 10—19 was 38·29 years; 20—29, 27·03 years; 30—39, 23·87 years; 40—59, 15·99 years. In other terms, the mean future duration of the life of the peers who acceded at the mean age 34½, was 23·87; nearly 24 years.

Table showing the Numbers who entered or acceded to the Title, and the Numbers who died in each Decennial Interval of Age; also the Annual Deaths out of 100 *living at each Decennial Interval of Age.*

	Peers.									
Age	0-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90-99
Entering	62	128	157	147	90	55	27	8	1	..
Dying	5	8	29	67	106	142	142	130	40	6
Mortality per Cent. per Annum . . .	1·8	·7	1·2	1·9	2·7	4·3	6·4	13·8	18·9	37·5
East India Company's Labourers . . .	..	..	·8	1·5	2·4	4·3	9·2	10·7	..	..

We have subjoined the rate of mortality which prevailed among the East India Company's labourers; and it will be observed, that after the influence of selection has ceased in the latter, at the age of 50 and upwards, there is a near approximation in the rates of mortality. And it must be recollected that 32 violent deaths have been excluded from the peers. Are we to infer that the mortality among peers is now higher than among labourers, crowded within the metropolis? Should we not rather infer, that as the investigation extends far back into the centuries of bloodshed and pestilence, that the lives of peers were then

* Article by William Farr, Esq., the writer of this article, in the *British Annals of Medicine*, July 14, 1837.

† Lancet, Feb. 1838.

‡ 26¾ years is the average duration of the reigns of the 24 sovereigns who died in the ordinary course of nature, from William I. to George IV.—*Edmonds.* The *first* peers are excluded from the calculation: for the reasons explained in speaking of sovereigns they are older at the period of accession, and their period of rule is shorter than that of their lineal descendants.

shorter, and are now longer, than the lives of labourers? The plague, which was born in huts, and nursed by famine, rioted in luxurious halls, and smote the highborn.

Dr. Guy and Mr. Neison have recently determined the duration of life in the males of the families of the peerage and baronetage; it is 35 years at the age 25, 27 years at 35, 18 years at 50.—(*Stat. Journal, Mar.* 1845, p. 76.)

Literary Men.—If the expectation of life in literary and scientific persons may be considered as represented by that of medical writers, it nearly agrees with that of the English population. M. Du Bois took out the ages of 850 medical men mentioned in an historical dictionary. We have excluded 72 who died under the age of 40, and extended the inquiry no further, as men have scarcely had a chance of attaining even a place in a biographical dictionary before that age.

Expectation of Life in Medical Writers, deduced from 778 *Lives.*

Ages . . .	40	50	60	70
Medical Writers .	27·14	19·96	13·74	9·04 years.
England . . .	26·57	20·03	13·59	8·52 ,,

Army.—The mortality of the military shows at what expense of life and health we have extended our power into all the quarters and climates of the globe. The constitution of a race of men is fitted to the locality and the atmosphere in which they are born; and they must possess a redundant vitality to acquire and retain possessions in a climate different from their own, and destructive of a body not moulded by its influences into a correspondent temperament. By the subjoined table of the mortality of the British army, it will be seen that the soldier, in the prime of his physical powers, is more exposed to death every step he takes from his native climate, till at last the man of 28 years is subject, in the West Indies, to the same mortality as the man of 80 remaining in Britain. By a judicious choice of stations, some very obvious hygiological precautions, and a temperate regimen, little doubt can be entertained that the European mortality may be diminished by a half in the tropical colonies. The mortality of the troops is double that of the officers. Is not this mainly due to the crowding of the men in barracks?

This interrogatory, which was put in the former edition, may now be answered in the affirmative. The authors of the valuable Report upon the mortality among the troops in the West Indies have the following observation:—"So far as we can learn, the extent of barrack accommodation to the soldiers serving in the windward and leeward command, did not, prior to 1827, exceed from 22 to 23 inches in breadth to each, and as that would not admit of their having bedsteads, they slept in hammocks; by which expedient as many men could be placed in one apartment as the breadth of their bodies would admit." They then give some details of the barrack accommodation at Tobago, in 1826, at that time said to be the best in the command; from which it appears that the number of cubic feet allotted to each man varied

from 200 to 311 feet! Since 1827 the barrack accommodation for each man has been extended to 350—400 cubic feet! and this in the hot moist climate of the West Indies! Why, these black-holes would treble the mortality in a temperate climate! This is a remarkable proof of the utility of Reports. We have no doubt that steps have been, or that they will very speedily be taken, to have the accommodations improved, and the mortality reduced.

Table of the Mortality of the British Army, showing the Mean Number of Annual Deaths out of 100 *Living at each Station mentioned.**

Time and Place of Observation.	English Army.	Extent of Observation.		Annual Rate of Mortality per Cent.		
		Average Force.	Years.	Maximum.	Mean.	Minimum.
*The United Kingdom	British Army	46,460	10	..	1·5	..
*Ireland, 1797–1823	Ditto	36,921	22	2·0	1·5	1·1
Mediterranean.						
*Malta, 1824–31	The Garrison	2,226	8	2·8	1·5	1·0
*Gibraltar	Ditto	5,207	17	13·4	2·0	0·7
*Ionian Islands	The Troops	3,467	13	3·6	2·6	1·4
East Indies.						
*Fort St. George Presidency	(1) European Troops	11,020	4	7·1	4·8	3·2
*Madras, 1827–30	Native Troops	69,530	4	1·6	1·4	1·0
*Bengal, 1826–32	(2) European Troops	8,700	7	9·7	5·7	3·3
West Indies.						
*Windward Islands	1796–1805, ditto	13,610	10	27·7	18·3	5·0
*Leeward Islands	1810–28, ditto	5,764	19	23·4	11·3	4·7
*Jamaica, Honduras, 1810–28	Ditto	2,528	19	47·2	15·5	7·3
*Jamaica, Honduras, Windward and Leeward Islands	Colonial Troops (Blacks)	2,733	19	8·4	5·5	1·6

The mortality of the native troops in the Madras presidency was only 1·4 per cent.; that of the European troops was quadrupled in Bengal. At home 1·5, in Bengal 5·7, per cent. of the European troops died. The climate of the East Indies is, therefore, congenial to the Hindoos, and only extraordinarily fatal to foreigners. The same holds of other countries, not poisoned by vegetable or animal effluvia, where their extremes of heat and cold, moisture and dryness, are not excessive.

The mean mortality of the French infantry at home is higher than that stated above for the English army.†

	French Infantry.			
	Extent of Observations.		Annual Rate of Mortality per Cent.	
	Force.	Years.	Maximum.	Mean.	Minimum.
Troops of the Line	105,700	6	..	2·00	..
Garde Royale	13,924	6	..	1·47	..
The whole Army	120,604	6	2·38	1·94	1·55

The following interesting facts have been derived from the Statis-

* The data have been derived from the *Edinburgh Medical Journal*. Mr. Marshall has the merit of having first investigated with success the statistics of the British army. Colonel Tulloch has published several valuable papers on the subject in the *United Service Journal*.

† Benoiston de Chateauneuf, Annales d Hygiène, t. x.

tical Report before referred to. It was drawn up by Mr. Marshall and Colonel Tulloch.

Table of the Mortality among the Troops in the West Indies, during the 20 *Years*, 1817–36.

	Whites.			Blacks.		
	Aggregate Strength.	Deaths.	Annual Deaths per Cent.	Aggregate Strength.	Deaths.	Annual Deaths per Cent.
Tobago	3,402	520	15·3	2,101	71	3·5
Dominica	4,723	649	13·7	2,454	98	4 0
St. Lucia	4,814	591	12·3	6,606	282	4·3
Trinidad	6,197	659	10·6	8,309	330	4·0
British Guiana	17,689	1,485	8·4	3,300	134	4·1
St. Kitt's	5,800	412	7·1	1,426	66	4·6
Grenada	6,267	387	6·2	1,899	54	2·8
Barbadoes	23,936	1,401	5·8	8,921	411	4·6
St. Vincent's	7,432	408	5 5	1,075	39	3·6
Antigua	8,062	327	4·1	3,562	103	2·9
The whole Windward and Leeward Command	86,661	6,803	7·8	40,934	1,645	4·0
The Jamaica Command	51,567	6,254	12·1	5,729	172	3·0

The numbers in the whole command do not quite agree with the sum of the numbers in each separate command. To obtain the mean constant strength, the aggregate strength must be divided by 20. For various reasons, a few of the deaths were not returned by the medical officers; thus the War Office Returns make the deaths in the windward and leeward command 7,069, instead of 6,803. The strength was also overstated in the medical reports by about 10 per cent. The corrections for these errors make the annual mortality in the windward and leeward command 9·6 per cent.; in Jamaica, 14·1 per cent.: about 0·002 died on the passage home from Jamaica; 0·0035 from the other command. Since 1825, it appears that 0·016 were invalided from Jamaica; 0·024 from the other islands.

As in all unhealthy places, the mortality fluctuated to a great extent in different years: thus in Jamaica the annual rates of mortality in the years 1819, 1825, 1827, and 1831, were 29·4, 30·7, 22·4, and 13·3 per cent. In the years 1823, 1829, 1835, and 1836, the rates were respectively 6·5, 6·2, 7·5, 6·1 per cent. In the former years yellow fever was epidemic. The mortality of different stations in the same island exhibits equal discrepancies. The following were the annual rates of mortality at different stations in Jamaica: Montego Bay, ·18; Spanish Town, ·16; Port Antonio, ·15; Up-Park Camp, ·14; Port Royal, ·11; Falmouth, ·10; Stoney Hill, ·09; Lucia, ·08; Fort Augusta, ·07; Maroon Town, ·03. *Montego Bay* is a town about 15 miles west of Falmouth. It lies at the foot of a range of mountains, which surround it upon every side except the north-west, where they open to the sea, and form the bay, at the extremity of which the town is built. The sea breeze is obstructed by the mountains; and the heat is more intense than in any other part of this island. *Maroon Town* is situated on a high range called the Trelawney Mountains, in the in-

terior of the island, upwards of 2,000 feet above the level of the sea. It is surrounded by still loftier mountains, clothed to the summit with stately trees; the view to the north-east commands a vast expanse of sea and land. About 200 acres are occupied by the troops. The barracks and houses are built upon small detached eminences; and the married soldiers live in small huts, built by themselves, bordering on the parade ground. If the troops lived in separate dwellings the mortality would be greatly diminished in the other stations. This is proved by the low mortality of the officers in the 19 years 1818—36.

Officers.	Aggregate Strength.	Deaths.	Deaths per Cent.
Windward and Leeward Islands.	3,740	157*	4·2
Jamaica	1,966	164	8·3

Table showing the Influence of Age upon the Mortality among the Troops in the West Indies.

Age.	Windward and Leeward Command.			Jamaica Command.		
	Aggregate Strength at each Age in Returns of Seven Years.	Total Deaths at each Age in Seven Years.	Annual Deaths out of a Thousand Living.	Aggregate Strength at each Age in Returns of Seven Years.	Total Deaths at each Age in Seven Years.	Annual Deaths out of a Thousand Living.
Under 18	244	1	4	88	5	57
18 to 25 .	12,372	613	50	8,059	562	70
25 to 33 .	13,633	1,004	74	6,607	705	107
33 to 40 .	3,555	346	97	1,547	203	131
40 to 50 .	609	75	123	352	45	128
Total .	30,413	2,039	67	16,653	1,520	91

The mortality increases with age in the West Indies. The ordinary rate at which the mortality increases in a healthy climate, is 3 per cent. for every year of age from 15 to 55: here it will be perceived that the increase was more rapid; in such a way, however, that from 18—25 to 25—33, the increase was 5 per cent. every year; from 25—33 to 33—40, it was 4 per cent.; from 33—40 to 40—50, it descended to the usual rate, and was 3 per cent. on every advance of one year. This applies to the windward and leeward command. In Jamaica the result was similar: the annual mortality increased 8 per cent. at first, and then 4 per cent. every year.

This bears upon acclimatisation which the authors have investigated with considerable care. Nothing is of greater practical importance to the army than this question: Do men become inured to the pernicious influences of a climate, so as at last to brave them with impunity? or are the survivors in a better condition to meet its dangers than newcomers? The authors of the report decide these questions in the negative. The following are the facts which they adduce; the first series is in favour of, the second against, their conclusion.

* Exclusive of 10 deaths from accident, suicide, and other causes not connected with climate.

Year of Service.	1	2	3	4	5	6	7	8	9	10
	Windward and Leeward Islands.									
Strength	11,678	10,328	9,325	8,797	8,160	6,430	5,713	3,252	6,546	5,452
Deaths	900	897	826	555	494	100	475	236	786	593
Annual Deaths per Cent.	7·7	8·7	8·9	6·3	6·1	7·9	8·3	7·3	12·0	10 9
	Jamaica.									
Strength	7,772	7,172	6,248	5,670	4,794	3,275	3,196	2,496	2,367	1,884
Deaths	1,776	860	682	827	532	448	399	208	150	179
Annual Deaths per Cent.	22·8	12·0	10·9	14·6	11·1	13·7	12·5	8·3	6·3	9·5

In the windward and leeward islands, it will be observed that the annual mortality increased, instead of diminishing, with the term of service: it was 7·6 per cent. in the first five years; 9·5 in the second. The reverse occurred in Jamaica; for the rate was 15 per cent. in the first five years; 10 per cent. in the second five years. But by uniting the two series of observations, the following results are obtained:

	Years of Life.	Deaths.	Annual Deaths per cent.
First 5 years of service	79,944	8,349	10·4
Second 5 years of service	40,611	3,984	9·8

The troops sent out to the West Indies from this country are, we believe, healthy men; they are in the technical sense *select* lives; and according to the experience of life annuitants, and of the assurance offices, the mortality should be excessively low in the first year, and even the first five years; while it should afterwards rapidly increase. But this progression was inverted; and the mortality diminished as the men grew older, instead of increasing 3 per cent. for every year of service. This fact is in favour of acclimatisation, and must be borne in mind in reading the report referred to. At the same time, we can never expect men to accustom themselves to take arsenic, nor to live in the crowded barracks and swampy stations of the West Indies with impunity. Since this was written, the troops in the West Indies have been supplied with fresh (instead of salt) provisions; and the stations in Jamaica have been removed from the insalubrious plains, to the healthy highlands of the interior, and the effect on their health has been most favourable. These beneficial measures were introduced when Lord Howick, now Earl Grey, was Secretary at War.

Army in War.—The mortality of an army in a campaign is greatly increased not only by the deaths from fighting, but by the sickness induced by hunger, fatigue, and crowding in fortified cities. This is exemplified by the returns in the adjutant-general's office of the loss of life and the sickness of the British forces* in the Peninsular wars. "During the last 41 months, or from the 25th of December, 1810, to the 25th of May, 1814, the total deaths of private soldiers of the army

* A paper by Mr. Edmonds, in the *Lancet*, April 28, 1838.

amounted to 33,829; the total deaths of officers in the same time amounted to 940. The average numbers living during this period, derived from 41 monthly musters, were 61,511 privates, and 2,716 officers; consequently, the average annual rates of mortality during this period were 16·1 per cent. for privates, and 10·1 per cent. for officers; that is, the total mortality of privates was more than 50 per cent. greater than that of officers. In battle there is a great difference between the mortalities of officers of different ranks. Field officers and captains suffer much more severely than lieutenants, who, again, suffer more severely than ensigns. The mortality of captains from battle is double that of ensigns." The difference is partly due to the greater age of the seniors, and partly to their greater exposure. And it appears that the proportion of officers actually engaged in battle is greater than the proportion of privates, which accounts to a certain extent for the higher mortality. There were 362 captains and subalterns killed, and 1,986 wounded, in the 41 months; 6,674 privates were killed: or the captains were killed at the rate of 4·9 per cent. per annum, the privates at the rate of 3·2 per cent.; and, as the number of officers who die of wounds after the day of action is generally equal to one-third part of the deaths occurring on the day of action, one-third part was added to the former rates, and gave 6·6 per cent. for officers, and 4·2 per cent. for privates killed and fatally wounded. The annual mortality from all causes, *except battle*, was 3·7 per cent. for captains, and 11·9 per cent. for private soldiers! The British army was victorious, and succeeded in driving the French from the Spanish Peninsula, yet 11·9 per cent. of the privates died of diseases—nearly three times as many as died from direct injury. An army, then, has infinitely less to dread from the arms of an enemy than from disease; and the low mortality of the officers proves distinctly that the mortality of the men from disease may be much reduced.

Table showing the Total Deaths of different Ranks which occurred in the Peninsular Army during 41 months, ending 25th May, 1814; also, showing the average Number Living, and the proportional Mortality of each Rank during a Year.

Rank.	Total Deaths during 41 Months.	Probable Distribution of these Deaths.		Average Number Living during the 41 Months.	Proportion Living of each Rank.	Mortality from all Causes per Cent. per Annum.
		Killed and Dead of Wounds.	Dead of Disease and Privations.			
Field Officers	87	56	31	157	58	16·2
Captains	239	168	71	543	200	12·9
Subalterns	517	315	202	1,602	590	9·5
Staff	97	27	70	414	152	6·8
Total Officers	940	566	374	2,716	1,000	10·1
Captains and Subalterns	756	483	273	2,145	790	10·3
Privates	33,829	8,899	24,930	61,511	22,648	16·1

Comparative View of the Living and Dying at the Battles of the Peninsula, and at Waterloo; Officers of different Ranks and Arms being distinguished. The Mortality of Privates at any Battle is represented by the Total Deaths (from all causes) of the Month in which the Battle was fought.

	Living.		Deaths.		Deaths to 100 Living.		
Rank.	Peninsula: Each of Four Battles.	Waterloo.	Peninsula: All Four Battles.	Waterloo.	Peninsula: Each of Four Battles.	Waterloo.	Average Rate in each of the Five Battles.
Field Officers	146	139	12	22	2·1	15·8	4·8
Captains	481	519	50	66	2·6	12·7	4·6
Subalterns	1,416	1,523	90	88	1·6	5·8	2·4
Staff Combatants	107	114	8	10	1·9	8·7	3·2
Total Officers Combatants	2,150	2,295	160	186	1·9	8·1	3·2
	Officers of different Arms.						
Infantry	1,669	1,571	142	133	2·1	8·5	3·3
Cavalry	292	434	15	44	1·3	10.1	3·7
Artillery, &c.	189	290	3	9	·4	3·1	1·1
Total	2,150	2,295	160	186	1·9	8·1	3·2
	Officers compared with Privates—(others excluded.)						
Battles.	Officers.	Privates.	Officers.	Privates.	Officers.		Privates.
Talavera	1,034	38,552	45	994	4·4		2·6
Salamanca	2,318	62,088	48	787	2·1		1·3
Vittoria	2,574	63,827	44	702	1·7		1·1
Waterloo	2,295	47,583	186	1,907	8·1		4·0
Total Four Battles	8,221	212,050	323	4,390	3·9		2·1

The English army of 61,511 men had 13,815, or 22½ per cent., constantly sick during the three years and five months, and the sickness from wounds did not amount to more than 1½ per cent. It is probable that, if some of the subjects discussed in this paper, if the causes of disease, and the means of their removal, had been as well understood as the use of the amputating knife and the Materia Medica, the Duke of Wellington would have had 8,000 more men at his command, and the country would have had to pay and support less than 5,815 inefficient men constantly sick in hospitals. In that case 36,999 years of sickness might have been saved. It is right to add that if the difficulty of commanding an army increases with the numbers, the difficulty of supplying them with food, and preserving the men in health, increases in a still more rapid ratio.

In a foreign war the soldiers are the direct sufferers; in a civil war, famine, distress, and epidemics, cause an augmentation in the rate of mortality in both sexes, and at all ages. There is, however, only one series of observations by which this can be directly proved; and that is the following, which we procured from Sweden through the liberality of the consul (C. Tottie, Esq.) Sweden was exposed to a civil and a foreign war in the five years 1806—10: the 20 years of 1811—

30 were years of peace. The difference in the mortality was well marked.

Annual Mortality per cent., at 20 different Ages, in Sweden.

FEMALES.

Ages . .	0-1	1-3	3-5	5-10	10-15	15-20	20-25	25-30	30-35	35-40
War . .	21·6	5·9	2·2	1·5	·86	·88	·96	1·1	1·3	1·5
Peace. .	19·4	4·3	1·7	·81	·49	·55	·71	·78	·96	1·2

Ages . .	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90
War . .	1·8	2·0	2·7	3 5	5·3	7·0	10·5	17·8	24·0	36·
Peace. .	1·3	1·5	2·0	2·6	4·1	5·8	9·0	13·2	20·6	29·

MALES.

Ages . .	0-1	1-3	3-5	5-10	10-15	15-20	20-25	25-30	30-35	35-40
Peace. .	22·8	4·7	1·8	·87	·52	·55	·87	·97	1·2	1·4
War . .	25·4	6·3	3·0	1·6	·98	·94	1·36	1·4	1·5	1·8

Ages . .	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90
Peace. .	1·7	2·2	2·7	3·5	5·0	6·8	10·2	14·7	23·1	32·
War . .	2·0	2·5	3 4	4·3	6·1	7·9	11·6	17·3	25·3	38·

Annual Mortality per cent., at all Ages, in Sweden.

	Males.	Females.	Mean.
Before the War, 1801-5	2·56	2·33	2·45
Civil War, 1806-10	3·11	3·02	3·06
Internal Peace, 1811-30	2·63	2·34	2·48

The civil war caused the annual mortality to rise 25 per cent.; and the effect was felt not only by the able-bodied men engaged in warfare, but by the old man, the young woman, and the child upon the mother's breast. The occupation of a country by foreign forces, particularly if there be much fighting, will produce nearly the same effect.

The Navy.—The dangers of the sea have, perhaps, never been exaggerated; but by that peculiarity which leads mankind to view murder, hydrophobia, and lightning with dread, while they hear with indifference of a narrow street, a bad sewer, or a fever, much unnecessary horror has been entertained of shipwreck, and little has been thought of the insidious causes of death which have often decimated our fleets, and defeated more than one expedition. Before the reign of Henry VIII. and Elizabeth, when the first large vessels were equipped, scurvy was little noticed. A free ventilation was inevitable in small open ships; long voyages were rarely attempted; and our navies were never stationed upon the destructive coasts of Africa or the West Indies. Scurvy, dysentery, fever—all the inevitable consequences of famine, bad food,

filth, and crowded ships—were experienced by the voyagers of the 17th century. In 1780 the Channel Fleet sent 11,732 sick to Haslar Hospital; 1,457 had scurvy, 240 dysentery, 5,539 fever! This is a fair specimen of the health of the British fleet, down to the end of the 18th century. Neither the ships nor the men could keep the sea more than two months.*

The records of the navy show that the mortality at sea may be raised to any extent; and that the heads of the naval department have the men's lives so absolutely in their hands, that a given number may be put to death at will, without employing any other agency than bad food and bad air. To establish this fact, we shall state two or three experiments upon a large scale, with others, to show that the mortality at sea may be brought down to an inconsiderable fraction. Passing over the earlier voyages, we find that the first fleet of the East India Company consisted of five small ships, of 1,500 tons burden, carrying 528 men. The fleet sailed on the 13th February, 1601, but was detained, and did not pass the tropic of Capricorn before July 24th. Many of the men fell sick; and by August 1st, so many had the scurvy, that in all the ships, except the Admiral (the ship commanded by the admiral, then called the general), they were hardly able to manage the sails. They arrived at the Cape of Good Hope, September 9th. Though General Lancaster's ship contained double the number of men, he had not so many sick, nor did he lose so many men as the rest. He had brought with him to sea several bottles of lemon-juice, of which he gave to each man fasting. But, of the 528 men, 100 died before, and five after, landing, in the voyage of seven months to the Cape. Here the tide of sickness turned: they purchased 1,000 sheep and 42 oxen, large and fat, and had such "royal refreshing," that all the men recovered their health and strength. The fleet put to sea October 24th; but we shall accompany them no further. This is a good type of the great majority of the early voyages.†

Anson sailed from St. Helena with five ships of war, a sloop, two victuallers, and 1,710 men, September 18th, 1740. Two ships of war separated and returned. The Wager was wrecked. Of the ships that remained, the *Centurion* had 506 men, the *Gloucester* 374, the *Tryal* sloop 81. The Centurion lost two men on the passage to Madeira, (38 days); after a stoppage of nine days at Madeira, the fleet reached St. Catherine's on the 92d day of the voyage. The ships had become remarkably sickly; many died from fevers and dysenteries. The Centurion sent 80 sick—16 per cent. of the crew—ashore, and the other ships as many in proportion. Upon the 123d day of the voyage, the ships sailed from St. Catherine's, and traversed the Straits of Lemaire; scurvy began to make its appearance about the 171st day; in April, the next month, 43 died on board the Centurion; in May, double that number. Fevers, dysenteries, gangrenous ulcers, were confounded by the early navigators under the name of scurvy; and the historian of the voyage says, that scurvy produced putrid fevers, pleurisies, and jaundice; the men had discoloured spots dispersed over

* Sir James Saumarez, cited by Sir G. Blane. *Dissertations*, vol. i., p. 18.

† Kerr's Collection of Voyages.

the body; the gums were putrid, the legs swollen, the bones decayed; fungous ulcers infected the legs; the seamen's spirits were shrouded in gloom; their lassitude was extreme; and they swooned and died upon the least exertion. The Centurion and Tryal arrived at Juan Fernandez June 16th, 145 days after leaving St. Catherine's, and landed 167 sick. The Gloucester arrived 37 days later, and sustained still greater losses.

The loss of men in the three vessels, down to September 1st, was as follows:—

	Numbers at St. Helen's.	Died in 10 Months.	Remaining Alive September 1st.
Centurion . . .	506	292	214
Tryal	81	42	39
Gloucester . . .	374	292	82
Total . . .	961	626	335

At Juan Fernandez the crews recovered; but in traversing the Pacific, the sickness broke out again, and eight or ten men died daily. About half the 335 men died in the ensuing twelve months; and out of 199, including negroes and Indians, 128 were landed sick at Tinian, August 26th, 1742. The Centurion took the Spanish galleon, and returned to England, after an absence of three years and nine months. The Dutch first succeeded in reducing the mortality at sea. The *Nassau Fleet*, of 11 sail, 5,260 tons burthen, and 1,637 men, circumnavigated the globe; 1,228 men remained alive when it reached the Ladrone Islands, February, 1625, and 32 had deserted; 36 died violent deaths. Schouten and Le Maire, two Dutch merchants, reduced the mortality almost to a minimum; Schouten sailed, June 14th, 1615, from the Texel, with two vessels, carrying 87 men, round Cape Horn, and reached Batavia October 31st, 1616, with the loss of only three men. Captain Cook's second voyage was attended with still greater success, as the men were treated with still greater care. The *Resolution* left Deptford April 9th, 1772, with 112 men; was exposed to the extremes of heat and cold in the torrid and frigid zones of the southern hemisphere; and returned at the end of three years, with the loss of only four men—three by accident, one by disease. In a paper read before the Royal Society, Cook described minutely the means which he employed to secure the health of his crew; the care taken in the selection of a vessel, in drying and ventilating, in providing good provisions, antiscorbutics, and an abundant supply of fresh water. The third voyage was equally healthy. The Royal Society gave him the Copley medal; and the art of preserving the health of the navy became popularly known in the narrative of his voyages. Little use, however, was made of Cook's discoveries by the Admiralty, until Lord Melville was impeached; for in the American war, to keep up a force of 60,000 to 70,000 seamen, 170,910 were raised in the five years 1776—80; 1,243 were killed, 18,545 died from disease.

Table showing the Mortality in some Sea Voyages; the Number of Men on Sailing; the Duration of the Voyage; the Years of Life; the Total Deaths; and the Annual Rate of Mortality per cent.

Year of Sailing.	Numbers on Sailing.	Time in Years.	Years of Life.	Deaths.	Annual Deaths per Cent.
1598—De Wert . . .	105	2·02	141	69	49·1
1601—Lancaster . . .	528	·67	319	105	33·0
1627—Nassau Fleet . .	1,637*	1·76	2,521	377	14·9
1740—Anson	961	·83	537	626	116·0
1615—Schouten . . .	87	2·05	182	3	1·7
1772—Cook	112	3·05	335	5†	1·2
1778—Cook	192	4·63	869	11‡	1·3
1819—Parry	94	1·50	140	1	0·7
1821—Parry	118	2·04	236	5§	2·1
1824—Parry	122	1·50	182	1	0·5

Ships are commissioned for three years; the men are paid off at the end of the term, and none but *healthy* individuals are allowed to re-enter the service. The annual mortality among seamen, therefore, should not exceed 1 per 100 in the temperate zone. It is to be regretted that no accurate statistical returns of the mortality of the British navy have ever been published. The comparative view of the health of the navy, calculated by M. Dupin, is erroneous. It makes the annual attacks 9·3 per cent., the deaths 0·7 per cent. The deaths are the deaths in the naval hospitals; they do not include the deaths in the ships. Now, the deaths in the hospitals amounted, in 1813, to 977 (the number on which M. Dupin's calculation was founded), and the deaths on shipboard (which M. Dupin overlooked) amounted, on an average of the three preceding years, to 4,553. Instead of 698 annual deaths out of 100,000, the ratio of deaths was 4,048. The mortality of assistant surgeons is now, we believe, nearly 3·4 per cent. per annum.

Reports on the health of the navy have appeared since the former edition of this work. The results have been compared with those of the army returns by Colonel Tulloch, and Dr. T. Graham Balfour.‖ We extract the following from Dr. Balfour's paper, which is a comparison between the mortality of the military in Ceylon, and the navy in the East India command, which extends from the coast of Asia to New Holland and the islands of the north Pacific; the operations being principally directed to the shores of the bay of Bengal, and the Coromandel coast. In the navy 18,381 cases of sickness were treated, 224 seamen died, 435 were invalided in the 7 years, 1830-36, out of a force ranging from 1,523 to 2,204, and equivalent to 12,942 living one year. The strength of the army ranged from 2,002 to 2,192, and was equal to 14,590 men living a year. To 1,000 of the navy 1,420 cases were treated, 17·3 men died, 33·6 were invalided annually. To 1,000 of the army, 1,356 cases were treated, 49·8 men died, and 3·6 were inva-

* Thirty-two deserted; 7 were poisoned; 29 killed in battle or by savages.

† Four died by accidents; 1 man was discharged.

‡ Six (Cook and five others) of the 11 were killed by the savages; 5 by disease; 1 man was discharged.

§ One killed by a fall.

‖ Papers read at the Statistical Society, 1841, Feb. 15, and 1844, Nov. 18.

lided annually. Exclusive of wounds and injuries, chiefly accidents; the cases of sickness to 1,000 men were 1,225 in the navy, 1,213 in the army; the mortality 15·2 in the navy, and 46·2 in the army. The excess of mortality in the army arose chiefly on dysentery and bowel complaints, (navy ·0046, army ·0194,) cholera, liver diseases, diseases of the lungs, and fevers. The deaths from consumption and spitting of blood in the army were 57, in the navy 18; the cases 130 and 59. Catarrh appears to be much more common in the navy, (in which 2,211 cases are recorded, but only 2 deaths,) than in the army, where 818 cases, and 13 deaths occurred. It is not easy to understand what is meant by "common continued fever," in the returns of both services; from which it would appear that only 21 in 1,541 navy cases, and 18 in 3,910 army cases, terminated fatally. Dr. Balfour intimates that those "fevers" might have been trivial cases, resulting in the army from exposure to "the heat of the sun," and "intoxicating liquors." In the navy returns there appears among the "diseases of the brain," an extraordinary number of cases of "vertigo" and "headaches," which Dr. Balfour suggests would have been entered in the army as "ephemeral fever." The effects of grog and drink thus undergo widely different nosological metamorphoses in the two services. It is to be regretted that the forms and nomenclature of the returns are not revised, and brought up to the level of the present state of medical science.

Prisons.—Considerable misapprehension prevails respecting the mortality prevailing in prisons. The deaths have been divided by the committals, instead of the average population, and the quotient has been compared with the annual mortality out of doors. In this way the result appears so much in favour of the prisoners, at first sight, that a French minister declared the gaols the healthiest places in the world; and in a recent report, one of the English inspectors "confidently affirmed that in very few situations of life is an adult less likely to die than in a well-conducted English prison." * Only 1 in 500 prisoners dies; so, according to this view, if a man desires to live to the age of Methusaleh, he should go to Newgate.

As serious intentions appear to be entertained of substituting the Penitentiary system for transportation; and in the greater number of cases for hanging, we have endeavoured to ascertain the actual effect of imprisonment upon mortality. In the elaborate gaol returns under 4 Geo. IV., c. 64, and 5 Geo. IV., c. 12, the average population of the respective gaols is not given; but a sufficiently near approximation to this may be obtained from the numbers "remaining," at the Michaelmas term of every year, when the returns are made. We took the first 93 gaols (omitting only 5 or 6 which were incomplete) for the 5 years Michaelmas 1826—31; and found that the mean constant population, from 6 enumerations, amounted to 9,409; while the deaths in the 5 years were 769. The mean annual mortality was 16·3 per 1000.

Mean Prison Population.	Annual Deaths.	Annual Deaths per 1000.
9,409	153·8	16·3

In deciding whether this is a high or a low rate of mortality, the *age*

* Report on Prisons, by Dr. Bisset Hawkins, 1836, p. 2.

of the prisoners must be taken into the calculation; and for the present purpose it may be assumed to be 20—30 years. Of 23,612 committed in 1837, not less than 14,396 were "aged 30 years and above 16."* We subjoin a comparative view of the annual mortality of different populations at the age 20—30.

Annual Deaths to 1000 *Living.*

Sweden, 1811-1830.	Belgium, 1829.	England and Wales, 1813-30.	English Prisons, Mich., 1826-31.
8	9	10	16

Here it will be observed at a glance, that the mortality in the English prisons was 60 per cent. higher than the mortality at the same ages in England and Wales.

The extent to which a class of individuals are affected in epidemics is a good sanatory test of the circumstances in which they are placed. In the year ending Michaelmas 1832, when cholera was epidemic, the deaths in the same prisons amounted to 300.

Year.	Mean Prison Population.	Deaths.	Annual Deaths, per 1000.
1832	10,497	300	29

The mortality was nearly three times as high as the ordinary mortality in England and Wales; and we know that the general mortality at the same age was raised to nothing near this pitch.

Again, the prisoners rarely labour under any serious disease at the time of their committal. And it will be found by a reference to the facts, that the mean term of their detention is 48 days: for there were 267,771 committals to 35,503 years of imprisonment, or nearly 7 weeks to each committal. The prisoners at the time of their committal must be considered in the same light as those who seek to assure their lives: they have no dangerous disease, and their health has scarcely time to become seriously affected in 48 days before they are removed. Of 12,886 persons entering the Equitable Assurance Society, between the ages 20—40, 43 died in the ensuing year: if they had all been committed to the English prisons, 210 at least would have perished. In the second year of the policy 113 died out of 12,361; in the third year, 99 out of 10,982.

If this doctrine of the mortality in prisons be correct, it may be expected that the health of the prisoners will gradually decline, and the mortality increase as the imprisonment is protracted. This is the case. The health of many of the prisoners before they reach the hulks is in a bad state; and the mortality in the convict hulks is nearly double the mortality in the prisons. 907 deaths occurred in the Convict Hulk Establishment, England, in 9 years (1820—9, exclusive of 1821), when the average convict population was 3,583. The mean term of detention was 1·22 years, or 1 year 2½ months. It gives, therefore, the following results:—

Annual Mortality per 1000.

First Year. Equitable Society.	General Population, England and Wales.	English Prisons.	Hulk Establishments.
3	10	16	28

Such is the effect of inaction, privation, and confinement in a close atmosphere, upon the criminal. It may be said that the prisoners are

* Table showing the Number of Criminal Offenders in the year 1837.

men of bad shattered constitutions. But does this apply to the great majority? and would not imprisonment have quite as fatal an effect upon persons unaccustomed to privations of any kind?

After every allowance has been made, if 200 deaths occur in the English prisons annually, 60 must be set down as the direct effect of imprisonment; and 50 of the 100 annual deaths in the hulks must be ascribed to the punishment. Only 8 criminals were executed in England and Wales during the year 1837; while in the 5 years ending 1834, the average annual number of executions was 51.

We submit these facts with great deference to those who have studied criminal punishment, and particularly to those humane individuals who would abolish capital punishments and substitute solitary confinement in cells for transportation. Let them bear in mind that *the present system of imprisonment destroys* 10 *times as many lives, and produces* 1000 *times as much actual suffering, as the executioner.* The mortality of prisons has been greatly reduced: and admits of further reduction, although no system of pains and penalties can be conceived, which will not increase sickness and mortality; for it is an eternal law of our nature that sensation has a tendency to cease, when deprived of objects, or thrown into agony: mercy has made pain the gate of death.

We have no means of knowing the mortality among convicts in the penal colonies; but, judging from all analogies, the immediate effect of assembling them in large buildings and solitary cells would be to raise the mortality very considerably. This is not an insuperable objection to the Penitentiary system; but it must be taken into account as a part of the punishment, which, while it injures the health and destroys more lives than the executioner, produces little impression upon the minds of the spectators.

We shall here add, from a paper by Mr. H. Marshall, the mean number of native prisoners confined in gaols throughout the presidencies of Bengal and Agra during the year 1833; the number of deaths, and the ratio of deaths per 1000, of the mean strength.

Year.	Mean Prison Population.	Died.	Deaths per 1000.
1833	39,658	2,613	66

Eight hundred and eighty-two of the deaths were from enteritis, dysentery, and diarrhœa, 586 from cholera, 511 from fevers. The ratio of mortality among the native troops of the same presidencies was 10·6 per 1000, in 1833.*

Dr. Baly, the physician to the Millbank Penitentiary, has latterly instituted an extensive inquiry into the mortality and fatal diseases of that and other penal establishments.† Dr. Baly's investigations con-

* *British Annals of Medicine*, 1837, p. 490. The materials were derived from a *Report on the Medical Management of the native Gaols throughout these Governments.* Mr. M. justly adds, that great praise is due to Mr. Hutchinson for collecting and publishing the statistical materials which are appended to this report.

† Paper on the Mortality in Prisons, &c., by W. Baly, M.D. Read Feb. 25, 1845. See Trans. of Med. and Chirurg. Soc. for that year. Dr. Baly's is one of the best papers, which have appeared in the Transactions of this learned Society, and throws more light on the effects of imprisonment than any other publication in this or any other country.

firm and extend the principles laid down in the above sketch, which appeared in the former edition of this work. In the 18 years, 1825–1842, the total number of deaths in the Millbank Penitentiary amounted to 205; the average number of prisoners during the same period was 532; and the average annual mortality was therefore 21 in 1000. But besides the 205 prisoners who died in the Penitentiary, 355 were invalided, or pardoned on medical grounds; and according to Dr. Baly's estimate, 123 of the 355 cases would have terminated fatally before the completion of imprisonment, had no pardons been granted. The mortality to which confinement gave rise was therefore 34, or, excluding 31 deaths from cholera, 31 in a 1000 annually; while the mortality in London between the ages 15 and 70 is about 15 in 1000. "The criminal's liability to die was more than doubled by imprisonment in the Penitentiary."

The average number of prisoners (1838—41) in 36 of the largest county gaols was 8657, the deaths in the five years 823, or 19 per 1000 annually; or after a correction required for pardons 23 per 1000 annually. The average duration of imprisonment in the English county gaols was about 46 days; in the Penitentiary 2 years. Dr. Baly shows in the following table, that the mortality goes on increasing from the first to the fourth year of confinement, when it is more than quadrupled; for 13 in 1000 die in the first, 57 in 1000 in the fourth year.

Years.	Number of Prisoners exposed to the Chance of Death.	Deaths in the Penitentiary.	Prisoners Pardoned.	Total Deaths (estimated).	Deaths to 1000 Prisoners.
1st . .	3,365	38	20	45	13
2nd . .	2,682	61	100	96	36
3rd . .	1,645	41	130	86	52
4th . .	611	10	72	35	57
5th . .	94	..	12	4	44

In the first 3 months of confinement, not 1 convict was pardoned and only 1 in 3571 died; in the second 3 months 15 died in 3470, and 1 was pardoned.

The mortality of men in twelve great prisons of France during each of 10 years of imprisonment was 37·6, 57, 59, 55, 41, 41, 41, 39, 31, 36 to 1000 living in the first, second, &c. years of imprisonment. In the Eastern Penitentiary, Philadelphia, the mortality was ·022 in the first year of imprisonment, ·048 in the second, ·039 in the third year, and ·025 in the fourth year. The highest degree of mortality appears to be experienced generally in the third and fourth years of imprisonment.

"Fever, formerly such a scourge, is now comparatively a rare disease in the English gaols; it does not produce in ten years as many deaths as it formerly caused in one, and I (Dr. Baly) believe never rages in them as a contagious epidemic. Yet both fevers and bowel complaints are, even at the present period, much more frequent causes of death in prisons than amongst the general population." (P. 61 of Dr. Baly's paper.)

The writer shows that the mortality from *fevers and bowel complaints* among persons between the ages of 15 and 60 in London is 1·2 annually; while among the prisoners of 32 county gaols it is 3·4, of Millbank Penitentiary 5·9; of Wakefield House of Correction 8·9 to 1000 from the same causes. These diseases are promoted by bad drainage, dirt, crowding, poor unvaried diet.

Consumption and scrofula are shown, by irrefragable evidence, to be the diseases to which the excessive mortality of prisoners under long confinement is due. Thus while in London 4·4 in 1000 persons between the ages of 15 and 70 die annually of consumption, the proportion of deaths in the Millbank Penitentiary was 7·6 in 1000; and it is estimated that 5·6 should be added to them from those pardoned; making in all 13·2 per 1000 or three times the ordinary mortality of the population from consumption. About 2·87 in 1000 convicts die of other scrofulous diseases; which prove fatal to only ·03 in 1000 of the general population. In 1840, of 1052 prisoners received into the Penitentiary 12 had symptoms of consumption; of the 1040 remaining only 523 were Penitentiary prisoners. *Forty-seven* of the 523 came under treatment, and 17 died of consumption before the end of 1843. Fourteen of the 1052 prisoners had, on admission, signs of scrofula, combined in 4 cases with consumption; 527 of the 1038 remaining were Penitentiary prisoners, and 37 of them before the end of 1843 came under treatment for external glandular scrofula, which was combined in 14 cases with consumption. The developement of these diseases is due to deficient ventilation, cold, sedentary occupations, and the want of exercise, a listless if not dejected state of mind, and poorness of diet; some of which have no necessary connection with a state of incarceration.

Workhouses.—The following tables will exhibit the mortality in workhouses. They are from the Appendix to a Report by the Select Committee on the Poor Law Amendment Act (1838).—Medical Evidence:—

Year 1837.	Average Number constantly Resident.		Average Number constantly			Admitted Ill.
	Males.	Females.	Sick.	Infirm.	Healthy.	
Ten Metropolitan Workhouses	1,252	1,926	462	1,591	1,125	1,318
One Hundred Workhouses in various Counties, taken indiscriminately	4,650	4,485	945	2,864	5,334	2,717

Year 1837.	Total Admitted.		Total Discharged, including Deaths.		Total Deaths.	
	Males.	Females.	Males.	Females.	Males.	Females.
Ten Metropolitan Workhouses	2,316	2,942	2,174	2,749	402	504
One Hundred Workhouses in various Counties, taken indiscriminately	10,764	9,172	8,935	7,341	970	676

Some of the results deducible from the above facts are contained in the annexed table.

	Average Number of Paupers in each Workhouse.	Proportion in 100 Paupers.			Annual Deaths to 100 constantly Resident.		
		Sick.	Infirm.	Healthy.	Males.	Females.	Mean.
Ten Metropolitan Workhouses	317·80	14·5	50·1	35·4	32·1	26·2	29·1
One Hundred Workhouses in various Counties, taken indiscriminately . .	91·35	10·3	31·3	58·3	20·9	15·1	18·0

It will be observed that the mortality was highest in the metropolitan workhouses, and among males. This immense mortality is not confined to workhouses under the New Poor Law Regulations: it is, *cæteris paribus*, equally high in all workhouses; and is an insuperable objection to the extension of the workhouse test (so called) or its substitution for a labour test. The ages of the inmates may be conjectured from the following enumeration made at the same time as the returns:—

	0-10	10-20	20-40	40-60	60-70	70, &c.	Total.
Sick . .	43	34	61	76	52	53	..
Infirm . .	7	12	59	220	362	369	..
Healthy .	300	215	148	174	61	13	..
Total . .	350	261	268	470	475	425	2,259

Twenty-five in 100 were sick when admitted into the metropolitan workhouses; 14 in 100 when admitted in the workhouses in other unions. This will account for part of the excessive mortality; infirmity for another part; age for a third part; leaving a large residual mortality to be accounted for in the same manner as the mortality of prisons. The mortality of paupers out of doors has not been ascertained; the mortality is probably raised 50 per cent. by confinement in the workhouses. In a depression of trade, or in a densely inhabited district, it must be considered a hazardous experiment to bring crowds of the sickly and depressed classes within the walls of one building. Nothing is more likely to generate an epidemic. The system of administering relief in workhouses should, on this ground alone, be reduced within the narrowest possible limits.

SICK-TIME.

A Bill, embodying a plan for enabling the labouring poor to provide support for themselves in sickness and old age, by small weekly savings from their wages, was introduced by Mr. Dowdeswell, and approved by the House of Commons, in 1773; but it met with the same fate as another Bill framed by the Commons in 1789, and founded on tables computed, at the request of a committee, by Dr. Price. The Lords rejected both Bills; and thus deprived the labouring poor of the guidance of a legislative Act in the formation of friendly societies for half a century. The tables of sickness, computed for the first Bill, were published by Baron Maseres in the second volume of his *Treatise on the Doctrine of Life Annuities*: Dr. Price's tables, which have till latterly been in general use, were published, in the edition of his work on Annuities, by Mr. Morgan. These tables were founded partly on observations and partly on an ingenious hypothesis: no extensive ob-

servations were ever made to determine the average time of incapacitation from labour produced by sickness, till the subject was taken up and investigated by the Highland Society (1824). Since then two committees of the House of Commons have sat on benefit societies, and the subject has obtained more attention.

Sickness, in practical statistics, is employed in a general sense. If we consider man as a material body, acting intelligently, anything in the condition of the body itself, which interrupts or impedes that action, is sickness. Any disturbance in the functions of the body, or alteration in the organs by which they are executed—from the skin to the brain and spinal marrow—from the time the food enters the mouth, till it exhales from the skin and lungs in vapour and gas—is a disease: and the sum of sick-time, produced by all diseases, constitutes the sickness of which statisticians speak. It is of various kinds. In acute or severe diseases, such as fever, inflammation of an important part, or malignant ulcer, a man is often able to think and move, just as he can digest a small quantity of food; but not with any energy, or at least with the energy required by an ordinary occupation. Any attempt at exertion aggravates and prolongs the sickness. This, we believe, is called *bedfast* sickness by the friendly societies. In other chronic diseases, slow inflammations of internal organs, reduced dislocations, rheumatisms, ulcerations, the patient can attend partially to his business: he is in possession of half his faculties; whether he can make them in any way available, depends on circumstances. This is walking sickness. The infirm, the crippled, the maimed, may either be entirely helpless and bedridden, or capable of some of the duties of life: their sickness differs from the bedfast, and from the walking, in being beyond the pale of recovery. The Highland Society calculated that of ten weeks' sickness, among persons of all ages under 70, two may be assumed as bedfast sickness, five as walking, and three as permanent.*

The following table of sickness, from the *British Medical Almanac*, presents a comparative view of the mean proportion of sickness incidental to members of English and Scotch benefit societies; according to (1.) the observations of the Highland Society; (2.) returns obtained by Mr. Ansell, and published in his work by the Society for Promoting Useful Knowledge; and (3.) a table of Mr. Edmonds's, agreeing very nearly with Dr. Price's, at one time in general use:—

VIII.—*Table showing the Proportion of Sick out of* 100 *living at each Interval of Age in Friendly Societies.*

Between Ages,	Sick Time in 100 of Life Time.			Between Ages.	Sick Time in 100 of Life time.		
	Scotch Benefit Societies.	English Benefit Societies.	Theoretical Table by Mr. Edmonds.		Scotch Benefit Societies.	English Benefit Societies.	Theoretical Table by Mr. Edmonds.
20 to 30	1·14	1·54	1·72	70 to 80	31·70	32·50	..
30 — 40	1·32	1·83	2·30	80 — 90		40·00	..
40 — 50	1 97	2·56	3·10	90 — 93		67·00	..
50 — 60	3·60	4·32	4·51				
60 — 70	10 80	11·26	9·36	All Ages	2·45	2 76	..

* Report of Friendly Societies, by a Committee of the Highland Society, p. 108.

These observations show, that, in the different circumstances, 1·32, 1·83, and 2·30 men in 100, between the ages of 30 and 40, were constantly ill: the sick-time increasing regularly with age. It is easy to deduce from this table the average days of sickness to each individual.

The Scotch and English observations represent, so far as limited numbers can, the sickness to which men, who are healthy at the time of entering benefit societies, are subsequently liable: the general proportion of sickness is higher. Tables of sickness for the entire population would be formed by taking 100,000 persons, of given ages, indiscriminately, and observing them for one, two, three, &c., years: they would, consequently, comprehend 4000 or 5000 individuals sick when the observation commenced, expressly excluded, by the rules of benefit societies, as well as those suffering from syphilitic diseases, and accidents incurred through drunkenness or brawls. In the parish of Methven, Perthshire, it was ascertained that 35 out of 743, or 4·7 per cent. of the male population above 15, would, from bodily or mental infirmity, not have been admitted as members of the friendly societies.* Medical men are well aware that labourers often go about their work with diseases of the heart, tubercles in the lungs, and disorders of considerable severity. Dr. Forbes ascertained, by the personal examination of 120 Cornish miners, in actual employment, that only 63 had good health; of the remaining half, 26 had difficulty of breathing, 14 pain of chest, 10 pain of stomach and bowels, 5 lumbago, pain of shoulder, palpitation, scrofula, or fits.† Out of 115 children below 18 years of age, Dr. Bisset Hawkins states, that 84 had good health; 25 middling health; 6 bad health.‡ Of the miners at work only 53, of the factory children only 73 per cent. enjoyed good health.

How much sickness exists among the actual labourers of this country, independently of those definitively incapacitated by disease, and who are either discharged on this account or set aside as inefficient? For resolving this question, there are valuable materials in the *Supplementary Report* of the Factory Commissioners, of which we shall avail ourselves; regretting, at the same time, that, from several omissions, and the returns not being procured in proper forms, the information they afford is not so complete as it might easily have been rendered.

The first returns deserving notice relate to the workmen employed in Her Majesty's dock-yards, at Woolwich, Sheerness, Chatham, Portsmouth, Devonport, and Pembroke.

The following table from Portsmouth, made by Mr. Pennell, is the most complete, as it distinguishes the cases, and the duration of diseases, from the consequences of injuries incurred in the yards. It has likewise the advantage of exhibiting the liability to accidents and sickness among different classes of workmen.

* Report of Friendly Societies, by a Committee of the Highland Society, p. 280.
† Medical Topography of Penwith, Cornwall, by J. Forbes, M.D.; Trans. of the Medical Association, vol. iv. p. 187.
‡ Supplement to Factories Inquiry.

IX. *An Account of the Number of Workmen employed in Portsmouth Dock-Yard, and of the Cases of Absence from Work, on account of Sickness, during the last Three Years.* (Prepared agreeably to Mem. of 9th of May, 1833.)

Description of Workmen.	1830					1831					1832				
	Average Number borne.	Number of Cases.		Days Sick.	Days Hurt.	Average Number borne.	Number of Cases.		Days Sick.	Days Hurt.	Average Number borne.	Number of Cases.		Days Sick.	Days Hurt.
		Sick.	Hurt.				Sick.	Hurt.				Sick.	Hurt.		
Blockmakers	5	3	2	10	13	5	5	1	31	18	4	2	..	01	..
Boys, House and Oakum	29	8	3	258	37	26	7	3	40	31	20	5	1	48	23
Bruisers and Timmen	3	..	1	..	16	3	..	..	..	..	3	1	..	6	..
Bricklayers and Labourers	29	5	4	156	48	26	5	5	255	46	24	3	5	120	38
Caulkers	90	20	16	384	226	88	52	12	512	106	84	27	23	331	860
Cooper	1	..	..	..	..	1	..	..	..	..	1	..	..	..	..
House Carpenters	16	3	..	41	..	16	7	2	104	25	16	6	..	105	..
Joiners	81	28	6	358	83	20	20	16	157	190	74	20	12	247	164
Labourers, Storehouse	10	2	1	28	95	17	4	..	22	..	17	6	..	18	..
Yard and House Carpenters employed as Labourers	269	50	11	900	279	198	57	21	720	483	162	44	10	852	225
Locksmiths	2	..	..	..	..	2	1	..	11	..	2	..	..	..	..
Masons	11	2	2	13	22	11	2	..	3	..	10	1	1	6	44
Messengers	7	3	..	28	..	7	..	..	..	..	7	..	..	..	..
Painters and Glaziers	29	11	7	198	73	26	14	5	356	94	23	7	..	156	11
Plumbers	6	6	..	42	..	6	5	..	39	..	6	2	..	9	..
Pitch-heater	1	..	..	..	..	1	1	..	1	..	1	..	..	..	..
Riggers and Labourers	74	11	11	74	137	71	22	11	162	177	69	16	11	223	168
Sail-makers	46	15	1	129	10	45	22	2	234	19	41	20	3	530	42
Sawyers	59	27	31	283	553	56	31	13	357	223	58	23	9	214	124
Scavelmen	64	16	7	292	96	63	14	7	233	115	54	13	4	133	65
Shipwrights	827	318	156	3,702	3,079	800	410	179	4,729	2,463	746	315	168	3,170	3,007
Smiths	153	70	25	900	275	151	117	27	636	256	150	66	26	682	251
Rope-makers	111	35	..	389	..	107	44	7	381	90	100	26	4	707	85
Warders	35	17	9	336	111	23	9	1	35	29	26	11	2	257	11
Wheelwrights	3	..	1	9	13	3	..	..	..	..	3	..	..	..	..
Workmen at—															
Wood-mills	25	9	1	114	32	24	6	..	268	..	21	2	2	168	36
Metal	52	24	15	162	193	51	26	10	214	99	46	27	7	310	96
Millwright's Shop	52	9	7	210	486	50	7	3	26	130	45	12	10	107	242

X. *Table presenting a condensed View of the above Facts.*

Years.	Average Number of Men.	Number of Cases.		Days of Sickness from Spontaneous Disease.	Days of Sickness from Injuries.	Total Days of Sickness.
		Diseases.	Hurts.			
1830	2,079	697	357	9,188	5,884	15,072
1831	2,002	888	325	9,606	4,620	14,225
1832	1,867	665	329	8,617	5,086	13,703
3 years	5,948	2,250	1,011	27,410	15,590	43,000

This table furnishes, as the mean of the three years, the following interesting results. In the year, 1 man in 6 is seriously hurt; 2 in 5 fall ill. Each man, on an average, has an attack of illness, either spontaneous or caused by external injury, every 2 years: and, at an average, each disease lasts 14 days. In a tabular form the results will be more distinctly perceptible.

XI. *Annual Proportion of Attacks and Accidents occurring to* 100 *Men in the Portsmouth Dock-Yard: and the mean Duration of each Case.*

	Number per Cent.	Duration of each Case in Days.
Spontaneous attacks	37·8	12·2
Injuries	16·0	15·6
Both	53·8	13·2 mean duration of all cases.

So far as the returns from the other dock-yards can be understood and admit of comparison, they confirm these results; and between Woolwich and Portsmouth, where hurts and sickness are distinguished, there is a remarkable coincidence in the time lost by sickness, although that from injuries is very different.

XII. *Table showing the Time lost by Sickness, whether induced by Accident or otherwise, among the Labourers in Portsmouth and Woolwich Dock-Yards.*

	Mean Number of Workmen.	Days Lost by Sickness.	Days Lost by Accidents.	Constantly Sick, per Cent.	Constantly suffering from Accidents per Cent.	Constantly Ill from both Causes, per Cent.
Portsmouth .	5,939	27,440	15,590	1·26	0·73	1·99
Woolwich .	2,243	10,593	8,594	1·29	1·05	2·34

It may be safely assumed, that of the labourers employed in the dock-yards, 2 per cent. are constantly kept at home by diseases of one kind or another; and that diseases arising in the body itself, independent of external mechanical injury, constitute almost two-thirds of the entire sickness. No details or explanations accompany the original returns; they do not appear to have been demanded; but it may be presumed that the sickness only of the men who recovered, and returned to the dock-yards, is intended in the tables, and this, with the selection on entering, excludes the greater proportion of sickness prevailing in a population, although it expresses that experienced by the actually working class. The sickness of the working labourers in the East India Company's service was, we shall show, 1·65 per cent.; and this is little more than a fourth part of the entire sick-time experienced by the whole number employed, including those pensioned. This proportion would make the sick-time of the dock-yard labourers 7·8 per cent. of the lifetime.

A return of the state of health among the men employed by the East India Company in London deserves especial attention, as no observations so accurate or extensive have before been published, relative to the sickness and mortality among labourers in large cities. This return was obtained "in the form of a large volume, containing a list of 2,461 labourers, employed in the month of April, 1823, with a statement of the number of days' illness experienced by these labourers, one by one, year by year, for the 10 succeeding years; also the date of every death, and the date when any labourer ceased to be employed, by being superannuated and pensioned, dismissed, or by voluntarily leaving the service of the Company."*

Every labourer put upon the sick list is allowed 1*s.* 6*d.* a day, Sundays included; he is also seen every day by the surgeon, and therefore remains no longer absent than the case requires.

During the 10 years, 496 died, 248 were pensioned, and 208 left the service, or were dismissed. The reporter, Dr. Mitchell, has calculated a table of the duration of sickness per annum for every age, from 16 to 81, which we subjoin:—

* Factories Inquiry; Supplementary Report, by Dr. Mitchell, vol. i. p. 48.

Age.	Average Duration of Sickness per Annum for every Man employed.	Average Duration of Sickness for every Man sick.	Age.	Average Duration of Sickness per Annum for every Man employed.	Average Duration of Sickness for every Man sick.
	Days.	Days.		Days.	Days.
Under 21	4·02	13·96	51 to 61	7·00	28 60
21 to 31	4·94	18·70	61 – 71	10·08	29·07
31 – 41	5·06	22·63	71 – 81	11·63	31·77
41 – 51	5·31	23·21			

Dr. Mitchell has unfortunately withheld the *data* from which these results were derived. He has not stated the total days' sickness, and attacks at each age, nor arranged the observations so as to exhibit the complete years of life. But the report contains tables showing the number of the men at every year of age, from 16 to 78, in the beginning of April, 1823; the ages at which the 248 pensioners were put upon the list; and the ages at which the 496 men died whilst classed as workmen, as well as the ages at which 161 of the pensioners died. It appears that the deaths of the pensioners were obtained in a separate return, extending from April, 1823, to January, 1834, nine months over the ten years in which the other deaths happened. From these facts we first deduced the number living at each decennial period of life, on the supposition that the 2,461 individuals alive in 1823 remained in the service ten years; and thence subtracted the years of life lost by deaths and dismissals. Dr. Mitchell having omitted to state when or at what age the 208 men left the service, it has been assumed that the younger men left in rather greater proportion than the aged, but that all remained in the service five full years; which is the same as supposing the dismissals were equally distributed over the ten years. A similar correction was made for the deaths: 1-14th part was deducted from the deaths of pensioners for the nine additional months in which they were observed.

XIII. *Table showing the Number of Labourers in the East India Company's Service, April, 1823; and, from Ten Years' Observations, the Number living complete Years between 16 and 90 years of age; the Deaths among the Workmen and Pensioners; the resulting Mortality compared with the Mortality among Males in London and Stockholm.*

Ages.	Labourers.			Deaths		Annual Deaths per Cent. among the				Annual Mortality per Cent.	
						Workmen.		Pensioners.	Entire Class of Labourers.		
	On the Books, April, 1823.	Living in One Year.	Living during One complete Year.	Of Workmen.	Of Pensioners.	Entire Number.	Attacked.			London, 1815-30. Males.	Stockholm, 1755-63. Males.
16—20	31	49	38	..	..	..	..	..	0·82	..	..
20—30	435	2,301	2,066	16	1	·78	2·9	6	1·49	1·22	2·63
30—40	779	6,671	5,939	96	2	1·46	6·5		2·43	1·69	3·54
40—50	599	6,749	5,764	136	8	2·48	19·4	17·7	4·27	2·54	4·67
50—60	451	5,365	4,255	147	40	3·52	14·2		4·04	4·04	6·46
60—70	187	2,739	1,819	95	75	5·88	15·7	16·5	9·24	8·12	10·10
70—80	27	675	426·5	16	30	5·66	11·7		10·71	15·97	15·87
80—90	..	56	25·5	..	5	..	..	23·2	13·90	30·91	31·4
										32·84	37·50
	2,461	24,610	20,343	496	161	2·50	10·6	16·5	3·13	..	..

These observations are equivalent to observations on 20,343 men during one complete year, and between the ages of 30 and 70 are sufficiently extensive to furnish a near approximation to the mortality in four decennial periods: earlier or later they are of little separate value. The annual rate of mortality was 3·13 per cent.; and, notwithstanding

the selection, it agrees, between 40 and 60, very nearly with the general mortality of males in London (1813-30).

The mortality under 40 is not so high among the labourers, because the greater part of them are selected healthy men, received into the service between the age of 20 and 35; after 50 it is higher than the general mortality in London. These men were well supplied with food and clothing; their work, without being hard, insured regular muscular exercise; in sickness they had rest and proper medical attendance; yet, between 40 and 50, the mortality was 67 per cent.; between 50 and 60, as much as 82 per cent. higher than the mortality at the same ages in all England. Such facts as these annihilate the supposition that the increased mortality in cities is due to want of food, and greater misery; nor, although these men drank freely, can we admit that their moral habits differed so greatly from those of country labourers as to account for their greater mortality.

Of the 2,461 labourers, 10 per cent. were pensioned in the course of ten years; 8 per cent. were discharged, or quitted the service; 1 man in 81 working a year was pensioned; 1 in 4 had an attack of sickness; 1 in 60 was constantly on the sick list; 1 in 21 (4·79 per cent.) of the labourers was a pensioner; and 1 in 6 of the pensioners died annually. The mean duration of life, after being pensioned, would therefore be six years; five years and a half less than the mean duration of life among the general class of men in cities at the same ages.* This, and the evidence of the medical attendant, Mr. Lewis Leese, prove clearly that the greater part of the pension-time must come under any comprehensive definition of sickness: the pensioners were declared by a special report of the surgeon, permanently disqualified for labour; and that not by age alone, for the majority were pensioned between the ages of 50 and 70, but by the mechanical injury of a limb, some infirmity, or a slow but fatal disease. Half the pension-time may therefore be safely viewed as sick time.

XIV. *Showing the Number of the East India Company's Labourers at several Periods of Age working a complete Year; the Number attacked by Sickness; the Days of Sickness experienced; the Pensioned; the Pensioners on the List One complete Year. Also the Proportion that annually fall sick, or are pensioned, out of* 100 *working; the Proportion Sick of the Class still on the Working List; the average Number of Labourers on the Pension List; the Proportion of the Living Disabled, and either on the Sick or Pension List.*

	Labourers Employed a complete Year.	Attacks of Sickness.	Days of Sickness.*	Pensioned.	On the Pension List One complete Year.	Out of 100 Men Working One Year.		Sick, in 100 Workmen.†	Of 100 Living.	
						Cases of Sickness.	Pensioned.		On the Pension List.	Sick, and on the Pension List.
16—20	38	10·9	152	..	..	28·5	..	1·10	..	1·10
20—30	2065	540·5	10,202	4	5·5	26·4	·20	1·38	·27	1·62
30—39	3047·5	1330·5	29,491	13	41	22·4	·22	1·38	·69	2·06
40—50	3703·5	1305·5	30,286	13	72	22·9	·23	1·46	1·25	2·69
50—60	4169·	1020·4	29,183	76	199	24·5	1·62	1·91	4·70	6·58
60—70	1615·5	560	16,284	105	433·5	34·7	6·50	2·76	23·85	26·50
70—80	316·5	116	3,681	35	201·	36·6	11·06	3·20	46·49	48·78
80—90	23·	1 ?	35 ?	2	21·5	..	8·70	?	69·65	..
•	19,838 c	4890·8	119,715	248	973·5	24·6	1·23	1·65	4·79	6·44
						1 in 4	1 in 81	1 in 60	1 in 21	1 in 15·5

* The expectation of life at the mean age when the 248 men were pensioned was 11·4 years, according to the city table of Mr. Edmonds.

† Obtained by multiplying the mean number working by the days of sickness

The proportion attacked by sickness out of 100 men, at each age working one year, differed inconsiderably between 20 and 60: the number pensioned between 20 and 50 was also the same (·0022); from 6 to 11 per cent. of the workmen were placed on the pension-list between the ages of 60 and 90; of the actually working class the sick-time increased with age from 1·1 to 3·2 per cent.; the pensioners, at the ages 60–70, formed 24, at 70-80 more than 46 per cent. of the living. The total sick-time (including pension-time) increased up to 50, in geometrical progression, at the rate of nearly one-third every ten years; and if half the pension-time after 60 be counted as sickness, it rather more than doubled in the subsequent decennial periods. The rate of sickness, including all the pension-time under 50 years of age, is much higher than that found by the Highland Society: it lies between the rate assumed by Dr. Price and the observations by Ansell on the English benefit societies. (See tab. VIII.) There were rather more than two years of incapacitation for labour to each death. The deaths were to the sick and pension-time as 3·13 to 6·44.

Friendly societies, and companies who, like the East India Company, may deem it prudent to make their men subscribe to a sick and pension fund, will find these tables very valuable. They also throw great light upon the state of health prevailing in the metropolis: the mortality and other considerations show that these men, labouring in warehouses in the heart of the city, yet well provided for, occupy, as regards health, a middle point between the worst classes and the inhabitants of the cleaner and less crowded districts.*

The comparative health of children in factories could be satisfactorily determined only by an enumeration of the living and sick in the manufacturing and other towns. The following tables, by Dr. Mitchell, are, however, not uninteresting. In reading them, it must be borne in mind that the fourth column does not represent, as stated, the "average duration of sickness per annum for every person experienced by one person: this sickness is a fraction higher than that given by Dr. Mitchell, as the days opposite 21—31, &c., in his table were applied to the numbers 20–30, &c., in this. He has improperly compared the 9th instead of the last column with the sickness of the Highland Societies, which comprehended every kind of incapacitation for labour.

* In addition to the statements in the report, we have ascertained from Mr. Lewis Leese, the intelligent surgeon, who, with his father and another surgeon, attended the East India Company's labourers, that they were selected chiefly between the ages of 25 and 35, when they became ineligible, or only obtained admission by special favour. To keep up a body of 1984 men, and compensate for the dying, the pensioned, and the discharged, 94 recruits were required every year; and from a book kept by Mr. Leese, who saw about three-fifths of the whole, it appears that he examined, during fifteen years, 1808–1822, 69 annually, about 7·5 per cent. of whom were rejected, chiefly for hernia and varicose veins. For various reasons the Company only took sound healthy men into their service. The diseases in the report were all of a severe nature: when influenza and cholera prevailed, 40 or 50 attended daily at the surgery for coughs and bowel complaints; but, as in other slight cases, they continued at work, were *favoured* by the *commodore*, and were not entered on the sick list. Venereal complaints were also excluded, as well as accidents from drinking, &c., when their cause was discovered. The old men gave up more readily than men between the ages of 30 and 50. Consumption and pulmonary complaints were very prevalent, so was fever, formerly. Consumptive patients remained on the sick list. Some of the men were Irish; the majority came from the country; the *alongshore* men were very liable to phthisis.

ployed;" for the operatives were generally examined at the end of the year, and from their statement of the sickness they had experienced in the preceding year, reported by their employers, this sick-time was deduced; a method which would exclude the sickness of all who had died, or been prevented by chronic diseases from resuming their labour. The "number employed" applies solely to the wages; only a certain proportion of them, not mentioned by Dr. Mitchell, furnished the average rate of sickness. Tables of sickness are given for 8 places; but the extent of observation in the other places was so small as to render the results quite irregular, and of no separate value. Through the omission of the number of observations, and of the other data, it is impossible to combine the facts together, so as to obtain a general result.*

XV. *Lancashire.*

Age.	Males. Number Employed	Males. Average Weekly Wages.	Males. Average Duration of Sickness per Annum for every Person Employed. Days and Decimal Parts.	Males. Average Duration of Sickness per Annum for every Person Sick. Days and Decimal Parts.	Females. Number Employed.	Females. Average Weekly Wages.	Females. Average Duration of Sickness per Annum for every Person Employed. Days and Decimal Parts.	Females. Average Duration of Sickness per Annum for every Person Sick. Days and Decimal Parts.
		s. d.				s. d.		
Below 11	246	2 9½	2·46	13·04	155	2 4½	8·03	..
11—16	1,169	4 1½	3·81	14·56	1,122	4 2	4·25	11·18
16—21	736	10 2½	4·42	16·43	1,240	7 3½	5·56	12·63
21—26	612	17 2½	4·01	18·27	780	8 5	6·85	16·42
26—31	355	20 4½	6·88	22·14	295	8 7½	8·62	18·51
31—36	215	22 8½	3·85	12·19	100	8 9½	9·29	21·77
36—41	163	21 7½	4·12	13·75	81	9 8½	6·16	19·19
41—46	98	20 3½	5·09	14·25	38	9 3½	14·67	14·41
46—51	83	16 7½	7·18	30·31	23	8 10	20·34	26·43
51—56	41	16 4	8·47	13·10	4	8 4½	15·75	21·00
56—61	29	13 6½	12·68	11·5	3	6 4	13·75	21·00
61—66	8	13 7	..	..	1	6 0	..	..
66—71	4	10 10	..	..	1	6 0	..	..
71—76	1	18 0	..	..	..	..	..	..
76—81	1	8 8	..	..	..	..	..	..
Totals . .	3,770	..	..	..	3,844	..	..	..

Glasgow.

Age.	Males. Number Employed.	Males. Average Weekly Wages.	Males. Average Duration of Sickness per Annum for every Person Employed.	Males. Average Duration of Sickness per Annum for every Person Sick.	Females. Number Employed.	Females. Average Weekly Wages.	Females. Average Duration of Sickness per Annum for every Person Employed.	Females. Average Duration of Sickness per Annum for every Person Sick.
		s. d.				s. d.		
Below 11	283	1 11½	1·01	3·61	256	1 10½	2·63	14·90
11—16	1,519	4 7	4·30	12·35	2,102	3 8½	6·18	13·81
16—21	881	9 7	5·56	17·14	2,452	6 2	6·98	15·54
21—26	541	13 6	9·11	20·12	1,252	7 2½	8·16	18·96
26—31	359	19 11½	7·05	16·05	674	7 1	7·88	19·91
31—36	231	20 9	7·65	16·98	255	7 4½	6·05	13·65
36—41	279	19 8½	3·50	22·58	218	6 7½	4·16	16·00
41—46	159	19 6	5·12	16·41	92	6 6	11·94	20·36
46—51	117	19 2	4·84	20·57	41	6 10	11·72	40·60
51—56	69	17 9½	4·90	16·41	18	6 1½	16·50	25·85
56—61	45	16 1½	3·27	3·84	16	6 0	15·0	20·2
61—66	17	17 7	..	..	7	5 5	..	..
66—71	15	15 9½	..	..	2	4 0	..	..
71—77	11	10 11	..	..	..	..	..	..
77—81	5	9 6	..	..	..	..	..	..
81—86	..	..	..	..	..	..	..	..
86—91	1	8 0	..	..	..	..	..	..
Totals . .	4,631	..	..	..	7,445	..	..	..

* We need not urge the importance of furnishing the data, whatever they are, of calculations in statistical documents. The *data* are the essential part of a statistical report: the *results*, without these, are of no weight.

Sicktime among Spinners and Piecers.—Mr. John Shuttleworth, in 1833, investigated the health of the spinners and piecers employed during 1832, in the whole of the Manchester cotton mills, engaged in spinning fine numbers of yarn. Such mills require to be kept at a higher temperature than is necessary in spinning common numbers. They worked 69 hours a week, and employed 837 spinners, who were adults. The united ages of the 837 spinners were 27,367, giving on an average 32 years for each spinner. They had worked 23 years, on an average, in cotton mills, making in the aggregate 19,133 years. 255, or nearly 30 per cent. were *absent from work on account of sickness,* in the year 1832, an aggregate of 6,297 days, or 25 days for each of the 255 who were sick, and 7½ days (7·53 days) for the whole number of spinners employed. Of the 837 spinners, 621 reported themselves to have "good health;" 171 or 20¼ per cent. to have "*pretty good health;*" and 45 or 5 per cent. to have "indifferent health." 681 of the spinners had wives living, 422 of whom were reported to enjoy "good health;" 151 or 22 per cent. to have "pretty good health;" and 108 or 16 per cent. to have "indifferent health." 707 of the men had been married 11 years on an average (7907 years) to wives of the average age of 21, at marriage; 26 of the women died in the interval. The married spinners had had 3,166 children (4½ to each marriage), of whom 1,922 were alive, and 1,244 (or 39 per cent.) dead. Mr. Shuttleworth's statement evidently does not include the sickness of the spinners, who *died,* or were discharged on account of sickness in 1832. It will be seen in the annexed table, that the absence from work on account of sickness was least between the ages 26-41, when the men were married and rearing families.*

Age.	Number of Spinners.	Days Sick in 1832.	Average Days of Sickness to One Spinner.
Under 21	8	195	24·
21	184	1,833	10
26	198	1,031	5
31	153	860¼	6
36	154	592	4
41	89	787	9
46	33	488	15
51	12	235	20
56	5	270	54
61	1	14	14
All ages.	837	6,305	8

Sicktime among the Poor of parts of London.—In 1839 or 1840 the Statistical Society of London inquired into the condition of the working classes resident within the parishes of St. Margaret and St. John, Westminster. 16,176 persons were included in the inquiry; and 277, or 1·71 per cent. were found to be "confined to their rooms by sickness." In 1842, a somewhat similar inquiry was undertaken in the inner ward of St. George's parish, Hanover Square. The population

* Journal of the Statistical Society, vol. v., 1842, p. 268.

visited amounted to 5,945, of whom it is said 839, or 14·1 per cent. were ill. Omitting females, children, and old people, there were of—

	Adult Males.	Numbers Ill.	Proportion Sick, per Cent.
In Westminster . . .	4,898 . . .	75 . . .	1·53
Inner Ward, St. George's Hanover-square . . .	1,414 . . .	174 . . .	12·31

The sick in St. George's evidently included all who called themselves, or appeared unwell; the sick in Westminster were "confined to their beds," and would, if members, have been in the receipt of pay from a friendly society. The sick belonging to these families, out from home in workhouses and hospitals at the time, is, apparently, not included in the return.*

Sicktime in the Metropolitan Police Force—This was embodied in the year 1830, and had subsisted 8 entire years at the end of the year 1838. The average strength of the force during the 8 years was 3,314, the numbers being very nearly stationary throughout the whole period. In order to maintain the average strength of 3,314 men, it was found necessary to recruit annually as many as 1,100 new members, the vacancies being created by 1,068, who are removed or retire from the force, and 32 who die every year. The average duration of the service of each policeman is, consequently, 3 years. The average at which the men enter, is 28½ years; about two-thirds enter between the ages of 20 to 31, and the remainder, with a very few exceptions, enter between the ages of 31 and 35 years. The annual mortality was ·97 per cent. or very nearly 1 per cent. The average number constantly sick during the 8 years was 2·81; or the days of sickness in a year to each man, were 10·3. For every annual death 2·90 were constantly sick, consequently there were nearly 3 years of sickness to every death. Out of 100 living, 3·78 were constantly sick in the month of January, and 2·38 in the month of July; the months of the year in which sickness was respectively at a maximum and minimum. The men are first chosen as being of sound and vigorous health, and the force is afterwards kept select by frequent discharges of men showing symptoms of impaired health or strength.

Each individual has to walk 20 miles every day in going his rounds, besides being obliged to attend charges at the police offices, the labour of which may be estimated as equal to walking 5 miles more, in all 25 miles a day. During two months out of every three, each police constable is on night duty, for nine hours each night, from 9 o'clock in the evening, till 6 in the morning.†

We have been favoured by the *Commissioners of Police for the Metropolis* with the following return in continuation of that communicated by them to the Committee of the Statistical Society. The return of the average force for each year is an additional column. Our calculations based upon this column differ in a little from those of the committee. Ours are we believe correct. It will be observed that in

* Journal of the Statistical Society of London, vol. iii., April, 1840, p. 14; and vol. vi., Feb., 1843, p. 17. The latter is a paper drawn up by Mr. Weld.

† From a Report of a Committee of the Statistical Society of London.—*Stat. Journal*, vol. ii., part 4, 1839, p. 193.

the last 7 years the dismissals, the deaths, and the sicktime have been less—though the average force was 800 greater than in the preceding period.

Return of the Sickness and Mortality in the Metropolitan Police.

Years.	Admitted	Removed and Retired.	Average Force.	Died.	Days of Sickness Suffered.	Annual Mortality per Cent.	Days of Sickness to each Man.
1831	1,464	1,388	3,314	23	39,297	..	11·9
1832	959	919	3,394	33	35,358	..	10·7
1833	995	958	3,396	39	38,122	..	11·5
1834	1,033	986	3,395	35	32,114	..	9·7
1835	1,146	1,110	3,397	25	30,497	..	9·2
1836	1,056	1,019	3,406	28	29,834	..	9·0
1837	1,120	1,085	3,438	39	34,415	..	10·4
1838	1,095	1,029	3,421	34	32,754	..	9·9
1839	1,090	1,046	3,463	26	25,975	..	7·5
1840	2,086	1,016	3,689	33	31,125	..	8·5
1841	1,128	965	4,236	38	31,481	..	7·4
1842	869	871	4,297	38	30,819	..	7·1
1843	1,043	796	4,296	34	30,469	..	7·0
1844	821	843	4,572	29	34,352	..	7·5
1845	1,020	894	4,539	26	38,692	..	8·5
Total . .	16,925	14,925	56,253	480	495,304	..	35·8
8 Years, 1831-38	8,868	8,494	3,395	256	272,391	·94	10·0
7 Years, 1839-45	8,057	6,431	4,157	224	222,913	·77	7·7

Sicktime in Friendly Societies.—We are indebted to Mr. Neison for a most important contribution to vital statistics, in the shape of an inquiry into the sickness and mortality experienced among the members of Friendly Societies. The data, published in detail by Mr. Neison, have been derived from two sources. One portion, relating to the Friendly Societies of England, was obtained through Mr. Tidd Pratt; and consists of the quinquennial returns for 1836–40, made under the Friendly Societies' Act, 10 Geo. IV., c. 56, s. 34, as amended by 4 and 5 Will. IV., c. 40, s. 6. The other portion was procured by Mr. Neison himself from the Friendly Societies of Scotland. The abstracts, made under his supervision, and at his own expense, have been liberally communicated to the public. They are the most extensive returns of the kind extant; and the results are of the greatest practical importance.

The returns of sickness and mortality are separately given for the rural, town, and city districts of England and Scotland. They will be found in a condensed form in the annexed tables.

The sickness returned in these tables is much higher than that given in the previous returns of the Highland Society, and of Mr. Ansell. Thus the amount of sickness experienced in the 30 years of age, from 20 to 50, is by the Highland Society's returns 22 weeks, Ansell's 31 weeks, Neison's 33 weeks; from the age of 30 to 60 it is 34 weeks, 45 weeks, and 52 weeks in the respective returns. From 20 to 60 the sickness does not differ materially from that previously given as experienced by the East India Company's labourers.

Comparative View of the Sicktime in Mr. Neison's, and other Returns.

Ages.	Average Number constantly Sick to 100 living at each Age.				
	Friendly Societies.				East India Company's Labourers.
	Scotland. (Highland Society.)	England. (Ansell.)	Scotland. (Neison.)	England. (Neison.)	
20–30	1·14	1·54	1·65	1·69	1·62
30–40	1·32	1·83	1·66	1 91	2·06
40–50	1·97	2·56	2·44	2·89	2·69
50–60	3·60	4·32	5·17	5·21	6·58

It is proved beyond a doubt, that the sickness indicated by Mr. Neison's tables is now experienced in Friendly Societies; and in the Society of Odd Fellows, which comprised in the year 1844, nearly a quarter of a million of members. The Board of Directors, at Manchester, procured a return in 1845, of which Mr. Neison gives the following analysis:—

Analysis of the Returns made to the Manchester Unity of Odd Fellows, for the Year 1844.

District.	Average No. of Members during 1844.	Deaths of Members.	Deaths of Members' Wives.	No. of Weeks' Sickness.	No. of Members out of which		Average Sickness Yearly to each Member expressed in Weeks.
					One Member died.	One Member's Wife died.	
Rural	66,208	608	434	57,795	108·89	152·55	0·873
Town	77,070	700	554	70,435	110·10	139·01	0·913
City	99,818	978	662	98,687	102·09	150·83	0·988
Whole Unity .	243,126	2,286	1,650	226,917	106·35	147·34	0·933

In explanation of the above table, it may be stated that the rural district is composed of those places the population of which is under 5000, the town district of those places the population of which is 5000 and under 30,000, and the city district of such places as have a population of 30,000 and upwards.

During the year 1844, it will be seen that the mortality for the whole Unity was, as already stated, about 1 to every 106 members; while for the rural districts it was 1 in 109, for the town districts it was 1 in 110, and for the city districts it was 1 in 102. The average amount of sickness to each member is 6¼ days.*

The contributions in the Odd Fellows Society appear to be inadequate to secure a member the advantages which they promise for any length of time, under an economical management; and it would appear, that the expenses are at present extravagant. The income in 1844 was 325,200*l.*; the expenditure 241,604*l.*; the sum paid to sick members was 107,440*l.*; for funerals, district, and widow and orphans' funds, 62,743*l.*; and sundries 71,421*l.*! The average age of

* Observations on Odd Fellow and Friendly Societies, by F. G. P. Neison, F.I.S., and Actuary to the Medical and Invalid Life Office.

the members is 32 years; and to secure 10*s.* a-week in sickness, 10*l.* at the death of a member, and 5*l.* at the death of a member's wife, the annual payment should, according to Mr. Neison's computation be 1*l.* 14*s.* 5*d.* The actual sum demanded according to the new scale, No. 1, is 1*l.* 2*s.* 9*d.* This is irrespective of 5*s.* or 6*s.* a-year in "Sundries" to each member. The premiums of those societies are not graduated according to age. Upon the whole they exhibit, amidst much good feeling, a want of knowledge, calculation, and foresight—which must involve the managers in discredit and the members in deep distress; unless an immediate and effective reform be carried out in all the lodges. The contributions must be raised and graduated, the expenses cut down to the narrowest limits.

In 1834 the number of members in the order was about 60,000, at the beginning of 1846 the number was 251,727. The entrance fees in 1844 amounted to 49,382*l.*, so that upwards of 40,000 members were initiated in the year; and as the increase of members was only 21,461 in that year, "upwards of 20,000," say the directors, "must have left the order after paying their initiation money and contributions for a length of time." This, although it neither denotes stability nor confidence in the order, is a large source of revenue; which may be taken into account in estimating the resources, and fixing the premiums.

Reverting to the tables of returns from other societies, it will be observed, that nearly one-third of the members are between the ages of 30 and 40; the greatest number appear to enter between the ages of 20 and 30; but new members come in at 30 and 40 and greater ages. The returns for England are from an average number of 229,449 members observed 5 years (1836–40), those for Scotland only from an average of 5,879 members for 12 years (1831–42). Nearly six-tenths of the English, and seven-tenths of the Scotch members belonged to "rural" societies; the remainder to societies in towns and cities. The mortality in all the societies was comparatively low; in the Scotch higher than in the English; and in the whole not higher than in Surrey; one of the healthiest English counties. The mortality under 30 in England and under 20 in Scotland, was somewhat higher in the rural than in the town societies; after those ages the mortality was considerably higher in the towns and cities than in the country; thus, in England, of 149,210 members of the age 40–50 only 1,378 died, while 1,520 members died in the town and city societies out of 107,286 members. The mortality in the country was ·924, in the towns 1·417 per cent. annually. The mortality in Scotland at the same age, 40–50, was ·997 per cent. in the rural, 2·097 in the city and town societies. The higher mortality in the towns, Mr. Neison appears disposed to ascribe to occupation, and the different "physical exercises" to which the several "classes of society" are "habituated."* We cannot agree with him. That "physical exercise" and occupation have an effect on the mortality is admitted on all hands; but Mr. Neison should not have forgotten at the moment he was writing, that the excess of mortality in towns among children under 5 years of age, and among women

* Con. to Vital Stat., pp. 109, 110.

is as great or greater than any he has discovered among the artizans and labourers belonging to Friendly Societies. From the age of 10 to 60 there were in England to every annual death from 2·3 to 2·7 members constantly on the sick fund. The mean of the 5 decennial periods is 2·5 years of sickness to every death; or in other words 2·5 members constantly sick to *one* death in a year. The ratio of the numbers receiving relief to a death is least at the age of 30–40; when the earnings of a man are greatest, and the calls on him from a dependent family are most urgent; at a period, therefore, when the *difference* between "wages" and "sick-pay," and his indisposition to forego this difference, are at a maximum. We have seen that many artizans are constantly at work while labouring under severe—to say nothing of slight illness; and it is evident, that the illness, lameness, or infirmity, which incapacitates a policeman from doing duty, or from walking 20 miles a-day, would scarcely prevent a tailor and weaver, from plying the needle and shuttle. Instead of inferring from the facts, as Mr. Neison appears disposed to do, that *sickness* and *mortality* are not connected together "as cause and effect;" we should lay it down as a principle, not true, but somewhat the less paradoxical of the two, that there is no connection between the time men of different trades in Friendly Societies are in the receipt of sick-pay, and the actual sickness which they experience. The variable extent to which equal degrees of sickness are likely to throw artizans of different trades on the sick fund, should be borne in mind, in advising societies, consisting of two or three prevailing professions. The mortality is greater, the sicktime less in the Scotch than in the English societies; we do not know whether this is connected in any way with the cholera, which was epidemic in the period over which Mr. Neison's Scotch returns, and not in that over which his English returns, extend. An epidemic like cholera, in which the cases are of short duration and fatal, would account for the anomaly in the Scotch returns, which are little more than four-tenths in extent of those returned by English Societies. At the age of 60 and 70, when the earnings are inconsiderable, and infirmities gain ground on the strength, there are *four* or *five* constantly on the sick and pension fund to 1 annual death; the whole of the illness experienced probably appears in the returns; and much that in earlier life would be shaken off, or not be called illness.

The members of Friendly Societies are selected men, and do not exhibit either the mortality or sickness of the classes from which they are taken. Yet we are inclined to think the mortality of the members still understated; and that like the sicktime, it will be found to increase with the successive returns. This may be put to the test by analysing the returns for the 5 years 1841–5; which are probably, in conformity with the Act of Parliament, now at the Home Office or the House of Commons. The numbers who enter and leave the Societies at each age should also be ascertained. This we hope to be furnished with by Mr. Neison; who is still prosecuting his inquiries, of which the following table of the duration of attacks of sickness is an interesting specimen.

Sickness in Friendly Societies,

ENGLAND.

Age.	Rural, Town, and City Societies.				Rural Societies.				City and Town Societies.			
	Population or Years of Life.	Deaths.	Sickness.		Population or Years of Life.	Deaths.	Sickness.		Population or Years of Life.	Deaths.	Sickness.	
			In Weeks.	In Years.			In Weeks.	In Years.			In Weeks.	In Years.
9	65	..	30	·57	50	..	11	·21	15	..	19	·36
10	34367	217	26243	541·27	23145	163	19284	369·65	11222	54	6955	171·62
20	276984	1972	244 85	4693·13	1915·5	1310	156566	3003·86	95369	662	86319	1654·27
30	365471	3067	364074	6977·34	213994	1586	194842	3734·07	151477	1481	16 232	3243·27
40	25 4·6	2893	337336	7423·15	149210	1378	183302	3608·74	107286	1520	1:9034	3814·41
50	132857	2635	375705	7200·24	84687	1400	199421	3821·93	53570	1295	176284	3378·41
60	55328	1972	428670	8219·13	39458	1249	301075	5763·99	16370	723	127705	2449·14
70	17046	1289	356791	6837·76	12605	894	261343	5008·54	4241	405	95448	1829·22
80	2611	335	76378	1463·76	1332	213	47423	908·64	779	122	28·55	554·91
90	115	5	2120	40·63	107	2	1770	33·92	8	3	350	6·71
10.	3	..	..	..	3	..	..	..	..	..	..	..
Total	1147243	14350	2264432	43396·93	706636	8185	1372041	26294·65	440357	6205	892391	17102·32

Age.	Annual Mortality per Cent.			Constantly Sick in 100 Members.			The constantly Sick, and the Years of Sickness to One Annual Death.		
	Rural, Town, and City Societies.	Rural Societies.	City and Town Societies.	Rural, Town, and City Societies.	Rural Societies.	City and Town Societies.	Rural, Town, and City Societies.	Rural Societies.	City and Town Societies.
9	..	..	..	..	..	..	..	..	..
10	·631	·704	·481	1·575	1·877	1·329	2·494	2·668	2·178
20	·718	·731	·634	1·894	1·973	1·734	2·639	2·320	2·499
30	·839	·741	·978	1·909	1·745	2·141	2·275	2·354	2·190
40	1·130	·924	1·417	2 894	2·419	3·555	2·561	2·619	2·509
50	1·506	1·653	2·305	5·208	4·513	6·307	2·733	2·730	2·736
60	3·552	3·165	4·417	14·722	14·623	14·961	4·168	4·620	3·388
70	7·552	6·904	9·550	40·114	38·114	43·132	5·305	5·666	4·517
80	12·830	11·627	15·661	56·061	49·609	71·234	4·369	4·267	4·548
90	..	..	..	..	..	..	..	..	..

SCOTLAND.

Age.	Rural, Town, and City Societies.				Rural Societies.				City and Town Societies.			
	Population or Years of Life.	Deaths.	Sickness.		Population or Years of Life.	Deaths.	Sickness.		Population or Years of Life.	Deaths.	Sickness.	
			In Weeks.	In Years.			In Weeks.	In Years.			In Weeks.	In Years.
9	7	..	..	..	..	..	..	..	7	..	..	..
10	1495	9	1178	22·58	939	6	803	15·39	556	3	375	7·19
20	14947	112	12660	246·46	9681	65	7716	147·88	5316	47	5144	98·58
30	21139	206	18271	350·16	13344	103	10638	204·83	7578	103	7583	145·32
40	15888	203	20240	387·89	11834	118	14119	270·59	4054	85	6121	117·31
50	10365	214	23578	547·69	8173	133	21326	408·70	2412	81	7252	138·98
60	4501	183	34120	653·20	3915	140	27974	536·11	886	43	6146	117·79
70	1431	92	30735	589·02	1191	71	25062	480·30	240	21	5673	108·72
80	259	42	7975	152·84	224	38	6654	127·52	35	4	1322	25·34
90	9	2	303	5·81	1	1	2	·04	3	1	301	5·77
Total	70542	1063	154260	2956·35	49452	675	114344	2191·36	21090	388	39217	765·01

Age.	Annual Mortality per Cent.			Constantly Sick in 100.			Constantly Sick, and the Years of Sickness to One Annual Death.		
	Rural, City, and Town Societies.	Rural Societies.	City and Town Societies.	Rural, City, and Town Societies.	Rural Societies.	City and Town Societies.	Rural, City, and Town Societies.	Rural Societies.	City and Town Societies.
9	..	..	..	..	..	..	..	..	..
10	·602	·639	·540	1·510	1·639	1·283	2·508	2·565	2·396
20	·749	·675	·884	1·649	1·585	1·854	2·201	2·275	2·068
30	·975	·760	1·360	1·653	1·512	1·918	1·700	1·989	1·411
40	1·278	·997	2·097	2·441	2·227	2·894	1·911	2·238	1·380
50	2·022	1·627	3·358	5·174	5·001	5·762	2·559	3·073	1·716
60	3·812	3·576	4·853	13·620	13·674	13·294	3·573	3·829	2·739
70	6·422	5·961	8·750	41·162	40·328	45·300	6·402	6·763	5·177
80	16·216	16·964	11·429	59·011	56·629	72·388	3·639	3·356	6·334
90	22·222	..	12·500	64·521	..	72·107	2·903	..	..

Age.	England. Days of Sickness in a Year to One Member.			Scotland. Days of Sickness in a Year to One Member.		
	Rural, City, and Town Societies.	Rural Societies.	City and Town Societies.	Rural, City, and Town Societies.	Rural Societies.	City and Town Societies.
10	6	6	6	6	6	5
20	6	6	6	6	6	7
30	7	6	8	6	6	7
40	11	9	13	9	8	11
50	19	16	23	19	18	21
60	54	53	55	50	50	49
70	147	143	159	150	147	165
80	205	181	260	216	208	264
90	..	..	..	236	..	263

Members of the age of 20 and under 30 had, on an average, six days of sickness annually—or they received pay for six days of every year that they were entitled to pay.

Average Duration of Attacks of Sickness. (From Returns of Scotch Friendly Societies framed by G. P. Neison, Esq.)

Age.	Total Number of Attacks, including those ending in Recovery and those ending in Death.	Total Amount of Sickness, including that ending in Recovery and that ending in Death.	Average Duration of each Attack of Total Sickness, including that ending in Recovery and that ending in Death.	Age.	Total Number of Attacks, including those ending in Recovery and those ending in Death.	Total Amount of Sickness, including that ending in Recovery and that ending in Death.	Average Duration of each Attack of Total Sickness, including that ending in Recovery and that ending in Death.
		Weeks.	Weeks.			Weeks.	Weeks.
10—15	12	39·428	3·286	60—65	350	9102·226	26·004
15—20	117	749·571	6·407	65—70	135	5934·714	43·960
20—25	637	2830·285	4·443	70—75	116	8867·969	76·448
25—30	585	5463·000	5·566	75—80	29	4588·857	158·236
30—35	1,074	5014·143	4·668	80—85	19	4027·000	211·947
35—40	872	4524·714	5·188	85—90	..	..	..
40—45	738	4153·714	5·436	90—95	1	333·000	333·000
45—50	519	3445·714	6·639		6,652	72925·281	10·957
50—55	537	6834·285	12·354				
55—60	491	7171·571	14·606				

Sicktime in the English Army.—The mortality of the English army is higher than the mortality of the general population; and the sickness, including every class of disease, is more than twice as great as that recorded in the preceding tables, at the ages 20-35, which correspond nearly with the ages of the troops. The mean proportion sick per cent. in Ireland (1797–1828), observed on an average force of 36,221 men, amounted to 5·1*; but a certain proportion of the sickness in the army is from syphilis, and this is said to be not included in the returns of Friendly Societies.†

From 25 monthly musters, Mr. Finlaison deduced the following rates of sickness in the two years 1823–4.‡

* H. Marshall.—*Edinburgh Medical and Surgical Journal.*

† Among 44,611 soldiers quartered in the United Kingdom, 8,072 cases of venereal disease occurred in 7½ years; giving an annual ratio of 181 to 1,000. It has been estimated that the cases last on an average 6 weeks, which implies that 18 in 1,000 are constantly sick. Only 2 deaths were recorded. Of 13,081 men in the merchant service, treated in the Dreadnought Hospital Ship at Greenwich, 3,977 cases were surgical but not venereal; and 3,703, or 28 per cent., had venereal disease. The average stay in the hospital is 21 days. Of 5,327 out-patients at St. Bartholomew's Hospital, 2,513 had venereal disease; or nearly "half the surgical out-patients suffered from venereal disease at one of our largest and most liberal London hospitals, where letters were given to patients." Syphilis is fatal to the offspring of venereal patients. Thirty deaths of infants were referred, in London, to this cause in half of the year 1845; and 22 adults died of syphilis in the same period.—*A Paper by Mr. Acton.—Lancet,* 1846.

‡ Evidence before Select Committee on Friendly Societies, 1825.

	The Total Rank and File present or accounted for in 24 Monthly Musters.	Sick at the Time the Musters took place.	Sick per Cent.
Cavalry	94,293	3,791	4·02
Foot-guards	92,889	3,961	4·26
Infantry	126,513	6,297	4·98
Totals and Mean .	313,695	14,049	4·48

The sicktime in Madras, 1808–9, was 12·4 per cent. of the lifetime. Annesley considered 10 per cent. in that climate healthy; and this appears to be near the mean proportion of European troops, constantly sick in the East Indies. In places where the mortality is high, the rate of sickness fluctuates very much from year to year; and, exclusive of losses in battle, the mortality and sickness are tripled or quadrupled in a campaign. This kind of knowledge is still imperfect, although indispensable to those who would employ masses of men with effect in different circumstances.

The proportion constantly sick in the West Indies, 1817–36, are given in the subjoined table.*

	Years of Sickness.	Constantly Sick.
Windward and Leeward Islands:—		
White Troops	7,543	·087
Black Troops	801	·042
Jamaica:—		
White Troops	2,910	·063

Army Pensioners.—In a former edition, the mismanagement of the Chelsea out-pensioners was animadverted on; and it gives us great pleasure to state that the pensioners are now (1846) paid by military officers, organised, and made a valuable subsidiary force. For this result, the country is, we believe, chiefly indebted to Lieut.-Colonel Tulloch.

Mr. Hume moved (June 26, 1846, No. 438,) for a return of the number of pensioners received from the army (including cavalry, infantry, guards, artillery, and engineers,) on the pension establishment during the 10 years 1838–43. And it appears from the return that, on an average, 2,090 were placed on the pension list annually; the highest number, 2,529, in 1838; the lowest, 1,794, in 1843. The average age of the men on admission was 40 years 4 months (40·34 years); and they had served 22 years 6 months (22·53 years); whence it follows that they must have entered the army under the age of 18, or at the age 17·81 years, if there be no error in the mode of stating the age. The total number of pensioners in 1836 was 86,495, and as 17,019 were placed on the list in the 8 years, 1836–43, about 26,822, or 3,603

* The strength of the troops has been already given, under the head Mortality. As the strength is under-stated, the proportion of sicktime and the attacks of sickness should be increased about 10 per cent.

annually, must have died in the time; for the number in 1843 was reduced to 76,692. The mortality was 4·09 per cent., or 1 in 24 annually. The mortality among males in the general population of England, aged 40·3 and upwards, is about 3·80 per cent., or 1 in 26 annually; in Manchester it is 4·9 per cent. or 1 in 20. The deaths among the 76,692 pensioners in 1843 are given in the return; and amounted to 3,752, or 4·9 per cent. The average age of the 3,752 pensioners at the time of their decease was 59 years 2½ months. The average age at death of persons 40·3 and upwards, according to the Manchester Life Table, is 60·8 and upwards.

As the relative number of pensioners added to the list diminishes, the proportion of old pensioners and of deaths to the total number will increase. According to the English Life Table, 3,331 pensioners placed on the list every year at the age of 40 would have kept up the numbers (86,495) existing in 1836; and the 2,000 a-year pensioned now will ultimately form a body of 53,000, if their mortality do not exceed that of the general population; and 41,200, if their mortality is as great as that of Manchester.

The return on which we have commented is imperfect, and in several respects unsatisfactory: yet the subject is important; and we may hope that, ere long, the facts will be published in a scientific, useful form.

MORBILITY; ATTACKS OF SICKNESS.

The sickness to which mankind is liable does not occur at any one time or age, but in an interspersed manner over the lifetime of each person. The constant quantity of sickness is kept up by a succession of diseases attacking the body at intervals and in paroxysms, which, however irregular they appear in a limited sphere of observation, are really definite in number, and separated by stated spaces. As a certain order is preserved in the performances of the healthy functions, so their derangements, in similar circumstances, also observe an order and regularity of succession.

To accuse the human frame of perpetual malady is as ridiculous as to attribute, with some theological writers, unintermitting wickedness to the human heart; but if every alteration of the multiplied parts of the human body, every transient trouble of its infinite movements, every indigestion in man, and every fit of hysteria in woman, were reckoned, few days of human life would remain entirely clear; and, if the same scrutiny were extended to the state of the brain, the world may very civilly be sent to Anticyra—*naviget Anticyram.* In determining the quantity of sickness, and the attacks of disease, the slighter affections are therefore passed over; as, whatever difference there may be in the representation and expression, it is probable they bear a tolerably constant relation, in the same class of society, to the severer cases recognised, and directly diminishing production by putting a stop to labour.

Some cases of sickness then are so slight as to obtain no attention; for others, men consent to take physic; a third class incapacitates them for labour. In friendly societies medicine is taken in many

cases which never fall upon "the box," as the patients continue their employment. In the Liverpool Friendly Society this is clearly exemplified, where there were (1829-37) members equivalent to 23,364 living one year; and to 20,251 entitled to relief one year. The mortality of cases that fell upon the box was 3·7 per cent.; of the cases attended by the surgeons 2·4 per cent.: for only 40 applications for sick-pay were made annually by 32 out of 100 members, while 75 cases to every 100 members were attended by the surgeons; 28 at home, 47 at the surgeries. In the eight years, 3,254 members entered the society; 906 were expelled or withdrew; 408 died; 76·6 were constantly receiving sick-pay; 118 were on an average upon the surgeons' sick-list; 6,555 persons applied 9,493 times for relief from the funds; and the surgeons recorded 17,000 cases of sickness. Certain individuals scarcely sustained an attack; others had two, three, or four attack in the year. Some chronic cases were counted as distinct attacks every time they applied; and nearly all the returns of cases are somewhat exaggerated in this way. The annual rate of mortality was 1·75 per cent.; the proportion constantly on the box was 3·03 per cent. As the society is of recent origin, only 0·08 per cent. were on the Superannuation Fund; 4·04 were constantly under the surgeons' care. Each time of application the applicant remained upon an average 24 days on the box; and as several applicants fell upon the Sick Fund more than once in the year, there were 35 days of sick-pay to each distinct applicant.*

	Years of Life.	Attacks of Sickness.	Annual Attacks per Cent.	Mean Duration of each Case.
				Days.
East India Company's Labourers, London, 1823-32 .	19,838	4,880	24·6	24·5
Children between the ages of 5-20 in the Sick Society of Bennet-street School, Manchester, 1830-2†	2,716	609	22·4	31·2
Artizans and Apprentices, Wurzburgh, Germany, mean age 15-35, 1786-1834‡	58,195	13,268	22·8	..
Labourers in the British Dock-yards.				
Plymouth, 1829-31,§ Sick	6,186	2,145	34·7	12·2
Portsmouth, 1829-32,§ Sick	..	2,250	37·8	12·2
,, Hurt	..	1,001	16·0	15·6
,, Sick and Hurt	5,939	3,251	53·8	13·2
Sheerness, 1830-32, Sick	1,422	622	43·7	..
Chatham, 1830-32, only the Sick?	3,941	1,939	49·2	11·7
Pembroke, 1830-32, only the Sick?	1,338	701	52·4	..

* From a valuable return, and copies of the reports, for which we are indebted to the senior surgeon, J. Garthside, Esq. To obtain the precise numbers in the text, from the reports, some approximations had to be made. We refer particularly to the numbers upon the surgeons' books, and the time members were not entitled to pay.

† Factories Inquiry Report, by Dr. B. Hawkins, Supplement, part i. p. 276.

‡ Hecker's Medical Journal, 1836.

§ Returns made by E. Jessop, W. Pennell, J. Ward, D. Rowland, W. P. Smith, R. Laws, and R. Tobin, Esquires, pursuant to an order of Admiralty. Supp. Report, Factories Inquiry, pp. 54-58.

	Average Numbers Living.	Annual Attacks.	Annual Attacks per Cent.	Mean Duration of Attacks in Days.
Lancashire, working in Cotton Factories*:—				
Males, ages 11-31	..	..	27·8	16·43
Females, ages 11-31	..	..	41·7	12·63
Glasgow, working in Cotton Factories:—				
Males, ages 11-31	..	..	40·3	17·14
Females, ages 11-31	..	..	41·3	15·54
Deanston Cotton-works, 2 years, 1831-2:—†				
Males	231	46	20·0	..
Females	439	196	44·8	..
Self-supporting Dispensary, Burton-upon-Trent, 1835‡	2,207	1,131	51·3	..

Observations in 60 Gaols of England and Wales during 3 Years, 1830-34.	Committed.	Prisoners in the Gaol at the time of the Returns.	Cases of Sickness.	Deaths.	Annual Cases of Sickness on an Average Population of 100.	Annual Deaths out of 100 Prisoners.	Deaths in 100 Cases of Sickness.
20 Gaols where the Dietary is low	164,614	15,173	6,127	243	40·4	1·60	3·97
20 Gaols where the Dietary is intermediate	63,440	12,398	11,550	188	93·15	1·52	1·63
20 Gaols where the Dietary is highest	39,717	7,932	8,937	137	112·7	1·73	1·53
	267,771	35,503	26,614	568	75·0	1·60	2·13
Détenus de la Maison Centrale de Nimes, one year, 1835§	..	61,219	1,272	107	104·3	8·77	8·41

	Average Force.	Attacks.	Annual Attacks per Cent.
British Troops.			
Corfu, 6 years, 1816-21	1,974	2,350	112
Bengal, 7 years, 1826-32	8,700	14,933	173
Fort St. George, Madras Presidency, 4 years, 1827-30	11,820	21,178	179
Native Troops.			
Fort St. George, Madras Presidency, 4 years, 1827-30	74,851	39,449	54
Windward and Leeward Command (aggregate force, 1817-36):—			
White Troops	86,661	164,935	190
Black Troops	40,934	33,557	82
Officers (White)	3,740	3,159	84
Jamaica Command (aggregate force, 1817-36):—			
White Troops	51,567	93,455	181
Black Troops	5,279	1,935	92
Officers	1,266	1,254	64

The attacks of disease vary in frequency to a great extent in unhealthy and salubrious situations: but the experience of the East

* Dr. Mitchell's Report. Data not given. Deduced from the Lancashire and Glasgow Factory Tables.

† Factories Inquiry, Supp. Report, part i. pp. 80–82. Appendix to evidence taken by Mr. Stuart; a return very judiciously drawn up by the manager, Mr. Smith.

‡ Dr. Bigsby on Dispensaries. The Burton-upon-Trent Self-supporting Dispensary included men, women, and children.

§ Annales d'Hygiène, p. 462. April, 1836. There were in this Maison Centrale 24 prisoners between 13 and 16 years of age. The rest were, probably, much older than the English prisoners; which, with the longer term of detention, will partly account for the high rate of mortality. The days of sickness amounted to 24,313; or 22·3 days each case. During this year cholera prevailed in Nimes. In the 60 English prisons, the mean number of annual deaths in the four years 1830, 1831, 1833, 1834, was 101; in 1832, the year cholera prevailed, 162 died.

India Company's labourers, of the children belonging to the Bennet-street School, which has the best regulated sick society in Manchester, and of the artisans of the Trades' Club in Wurzburgh, all receiving pay during sickness, and only falling on the funds in cases of some duration and severity, tends to show that 100 of the efficient male population of this country are not liable to more than 25 severe attacks of disease in the year. To each man there is a protracted disease, disabling him from work every four years: this forms one great section of the sickness of the country; but it does not include syphilis, accidents from fighting and drunkenness, or the many ailments which make men apply for medical advice, while they carry on their occupation, comprising, perhaps, as many more cases of a slighter character, which raise to 50 per cent. the proportion of the population attacked annually. In the Portsmouth dock-yard there were 38 attacks of sickness to 100 men: 16 per cent. met with accidents in the year. Besides accidents, the attacks of sickness in Sheerness amounted to 43·7 per cent. The reported attacks of sickness in Sheerness are exclusive of accidents; and if, as is probable, the same exclusion was made in the other returns, the spontaneous cases amounted to nearly 50 per cent. in Chatham and Pembroke. By excluding the slighter cases, the attacks of sickness may be reduced near the level of the preceding series: in the healthiest dock-yard, Plymouth, for example, out of 2,147 cases, 635 did not exceed three days in duration; and, by subtracting these, the proportion attacked in 100 will be reduced from 34·7 to 24·4. Accidents, although excepted here, ought not to be excluded, because they occur as common inevitable causes of disease among all classes of the people, and raise the sickness to a considerable, although varying, extent: in Portsmouth, the increase of cases from this cause was 42 per cent. Except Plymouth, the dock-yards appear to fall somewhat below the national standard of health; more than 50 in 100 of the men are attacked by sickness of one sort or other annually. In Sheerness, out of 1,422 diseases, 263 were agues, 142 rheumatisms, 68 colics and cholera.

The return from the Deanston cotton-works, in Scotland, after deducting cases of less than three days' duration, makes the annual attacks of sickness among males 20, among females 44·8 per cent. This difference between males and females deserves attention; it is produced by rheumatisms, diarrhœas, and even wounds, but more particularly by catarrh and headach. The female cases approach the nearest to the total attacks; as the wages of women are lower, and they give over working abroad on slighter occasion than males. Almost an equal difference is visible in the Lancashire cotton-works; in Glasgow the difference is trifling. Females apply for medical advice more frequently than males; but as their mortality between 15 and 40 is but a little higher, the same must hold respecting severe illnesses. The cases observed in factories, only reported on the recollection of the workmen, would very likely include nearly all the serious diseases, and a varying proportion of the slighter distempers which detained them from work. Soon after 40 years of age individuals of the labouring classes begin to suffer from stomach complaints, the consequences of poor diet, poor clothing, exposure to weather, and anxiety; and from these complaints, in some shape or other, they seldom afterward become wholly

free. The attacks of sickness among paupers,—the feeble, crippled, maimed, idiotic, crazy, miserable, dirty, dissolute, vicious, unfortunate,—rejected as refuse from all the foregoing classes, are more numerous than the attacks to which select labourers are liable; and medical men, in undertaking to attend paupers, should bear this in recollection. For the facts relating to English prisoners we are indebted to an interesting paper by Mr. Chadwick, in which he collated the dietaries of 60 prisons in England and Wales. The average population in this table was assumed to be furnished by the numbers remaining at five times in each of the 60 prisons.

We are unacquainted with any data from which the absolute morbility of the British population can be deduced, any more than the mean duration of each case, and the mortality of the sick, with which it is intimately connected. Several interesting observations on distinct classes, and on the morbility and duration of sickness at different ages, however, exist. At the age of 20–50 the duration of each attack among the East India Company's labourers was 22·2 days, and, with the pension-time, 36 days: 7·8 in 100 cases died, or 7·4 exclusive of pensioners. The duration of these cases approaches very near the term of treatment in 14 Paris hospitals, where patients are admitted indiscriminately, and continue till they recover or die; in 1819–1825, the mean number, 3,947 patients, remained 35 days. In the hospitals of this country, where adults and more chronic cases are received, but at the same time are often sent out before death occurs, the patients continue longer under treatment: in the county hospitals (31) of Ireland, the patients remain 38·3 days; of England, 39·4 days; of the metropolis, 42 days.*

Where slighter and ephemeral cases are counted, and organic diseases are excluded, the duration of cases among adults does not, according to the returns from the dock-yards, exceed 12 days. In Corfu, 1816–1821, the mean duration of all the diseases (14,098) was 16·1 days.

It is of great importance for medical men to know the average number of deaths in all the cases that come under their care, in order to judge of the remedial influence of medical appliances. The hospitals furnish some, although inadequate, information on this head. The sanability of the sick decreases in the large cities.

Hospitals.	In-patients Treated in One Year.	Mean Number of in-patients.	Deaths.	Deaths out of 100 Patients.	Deaths in 36·5 Days out of 100 Patients.
Salop, 4 years, 1830–33 . .	955	92	34	3·7	3·6
Winchester, 1 year, 1833–4 .	798	83	31	3 8	3·7
Salisbury, 1 year, 1833–4 . .	894	88	27	3·1	3·1
Chester, 2 years, 1833–5 . .	489	45	20	4·2	4·5
Manchester, 1 year, 1831–2† .	1,784	128	128	7·2	10·0
Liverpool, 1 year, 1831‡ . .	1,960	220	109	5·6	5·0
Bristol, 1 year, 1828–9 . .	1,483	195	160	9 5	8·2
London, 7 hospitals . . .	18,740	2,191	1,605	9·0	7·6

* British Medical Almanack for 1836.

† Deaths rated higher in 1833–4. In the 80 years, 1752–1832, only 4·93 per cent. of the patients died.

‡ Factories Inquiry, Supp. p. 306. The other facts are from the British Medical Almanack.

These observations are in conformity with what is seen in other hospitals: the deaths among the patients in the London hospitals agree very nearly, when the time is the same (36 days), with the deaths among the London labourers (7·5 : 7·8), and the ratio of their ages is not very different. The deaths in 100 attacks were, among the Bennet-street scholars, 4·24; the Wurzburgh artisans, 3·33; the British troops in Corfu, 2·3; in Fort St. George, 2·7; in Bengal, 3·3; the native troops, Fort St. George, 2·6; while the deaths out of 100 living in these places were respectively 0·95, 0·76, 2·74, 4·8, 5·7, 1·4. The higher absolute mortality produced by external causes is due in part to the increased number of attacks, and in part to the greater fatality of the cases.* In like manner the sick-time is augmented principally by the attacks, and but slightly by the cases lasting longer.

Men placed in the same circumstances appear equally liable to an attack of sickness between 11 and 60 years of age; 100 of the London labourers, in each of the decennial periods, 20–30, 30–40, 40–50, 50–60, had nearly 23·5 attacks of sickness annually; the highest number was 26·4, the lowest 22·4. A closer agreement could not, considering the extent of observation, and all accessory circumstances, be expected. A greater number of cases appear under 30, and as age advances; because, as Mr. Leese, when questioned, informed us, old and young men were placed on the sick-list for slighter ailments than men between 30 and 50; and this is confirmed by the fatality of the cases at these early and late ages not being proportionally great. The proportion of attacks (Table XIV. col. 7) was deduced from the men on the working-list; it should have been calculated from all the men living,† including pensioners, and this would have raised the proportion of attacks after 40; for the proposition is, that 100 men aged 30 will suffer in the same circumstances as many attacks of disease as 100 men aged 50 or 60; and the 100 men embrace the sick, pensioned, or disabled, which become more numerous as age advances. Collected for another purpose, the Factories' Returns of sickness, notwithstanding the irregularity resulting necessarily from limited observations and defects which pervade equally the whole series, exhibited between 11–31 but inconsiderable oscillations in the number of attacks, whether among males or females. Out of the eight series of tables we select those founded on the greatest number of facts.‡

The mean duration of each case increases as age advances. So if we take in the pension-time under 60, inasmuch as the greater part of it legitimately appertained to the antecedent attack, the mean duration of each case among the East India Company's labourers was in the four decennial periods 20–60 respectively 22·5, 33·9, 47·7, 98·8 days. In all the Factory Returns, the duration of the cases increases in like manner, although, for obvious reasons, not so fast.

* It must always be recollected that the army observations comprise every case treated; half of which, probably, would not throw a man on a sick pension fund; so, to compare them with the latter, the deaths should be divided by about half the cases. To obtain a rough approximation, therefore, multiply the above army deaths in 100 cases by two.

† The difference below 50 is trifling; the observation was imperfect, and could only have been calculated on the living by hypothesis.

‡ Deduced from Table XV.

Attacks of Illness in each Quinquennial Period of Age, indicated by the Interval between each attack.

Ages.	Lancashire.		Glasgow.	
	Males.	Females.	Males.	Females.
11—16	3·8 years	2·8 years	2·6 years	2·2 years
16—21	3·7 ,,	2·5 ,,	3·1 ,,	2·4 ,,
21—26	3·7 ,,	2·4 ,,	2·2 ,,	2·3 ,,
26—31	3·2 ,,	2·1 ,,	2·3 ,,	2·4 ,,

The mortality among the persons attacked, augments with age at the same rate as the mortality among the entire number living. Out of 100 attacked in each of three decennial periods (Table II.), 20–50, the deaths were respectively 2·9, 6·5, 10·4; the deaths out of 100 labourers, whether sick or healthy, were, in the same periods, 0·82, 1·48, 2·43. The rate of increase was nearly the same.

This law is illustrated by the mortality of cases of smallpox at different ages.*

Ages . . .	0-3	5-10	10-15	15-20	20-30	30-40	40-50	50	All Ages.
Cases . . .	256	264	617	2,303	3,736	462	144	68	7,850
Deaths . . .	105	64	118	562	1,273	215	84	54	2,475
Deaths per Cent.	41·97	24·2	19·1	24·4	34 07	46·54	58·33	79·41	31·53

The sick-time increases with age in a geometrical progression (see Tables VIII., IX., &c.) If, therefore, the number of attacks at each age be the same, the duration of each attack will increase in the same ratio; and conversely if the duration of the cases and the sick-time augment at the same rate, the number of attacks at every age will be equal. Any two of the elements being given, the third may always be deduced from them. Again, if the mortality of the attacked increase at the same rate as the mortality of the entire population, the proportion attacked at every age will be the same. Among the London labourers the mortality between 30–40, 40–50, was 1·48, 2·43, in 100 living; the mortality among 100 attacked was 6·5, 10·4. Now 1·48 is to 2·43 very nearly as 6·5 is to 10·4; and it results from this, that the attacks, whatever their absolute number may be, whether 22 or 52, were the same in both periods. The deaths below apply equally to the attacks and to the living: they apply, however high the absolute number of attacks be raised, provided it be raised to the same degree in both periods; but cease to apply if the number of attacks in each period be different.

Ages.	Mean Number Living.	Annual Attacks.	Annual Deaths.
30—40	100	22	1·48
40—50	100	22	2·43

* We took out these cases from the books of the London Smallpox Hospital for the years 1780–99 and 1828–36.—Brit. Med. Alm. 1838, p. 202.

We pass over several important applications of these facts to practical medicine, and to practical statistics, where, as in trigonometry, two of the elements of calculation can frequently be measured when the third is only attainable indirectly; expressing a hope, however, that they may be made available in the next census to throw much light upon the sanatory state of different classes of the population.

Mr. Edmonds first showed, from tables published by Dr. Southwood Smith, that the mortality of the fever patients in the London Fever Hospital, between 15–60, increased, every year, at a rate measured by a constant (1·03) discovered by him, and applied to the construction of tables of mortality; he also first announced, that if the mortality of all the patients increased in the same ratio, the number attacked at each age between 15 and 60 must be the same; and moreover, that as the amount of sick-time increases as the mortality, the duration of each case will increase in the same ratio.*

The rate of mortality varies in the progress of cases to their termination. It has been found that the rate varies according to a mathematical law; describing a regular curve, which can be calculated: the results observed, and calculated, agreeing with great exactness. The law has been investigated in cholera and in smallpox.

Cholera. Daily Rates of Mortality per Cent.

Days	1	2	3	4	5	6	7	8	9	10
Deaths	2,096	1,412	563	297	229	209	144	112	78	63
Deaths per Cent. (observed)	25·2	21·7	10·5	6·3	5·5	5·7	4·5	4·0	3·3	3·1
Deaths per Cent. (calculated)	..	..	..	6·3	5·6	5·0	4·4	4·0	3·5	3·1

The parallel has been carried, and holds, down to the twenty-fifth day. The mortality decreases 12 per cent. daily.

Smallpox. Daily Rates of Mortality per Cent.

Days of the Disease . . .	15-20	20-25	25-30	30-35	35-40	40-45
Total Deaths	552	153	70	39	28	14
Deaths per Cent. (observed) .	2·716	·848	·430	·279	·204	·161
Deaths per Cent. (calculated) .	2·716	·848	·430	·278	·204	·158

The rates which regulate the progress of the mortality were deduced from 5,268 cases of smallpox and 9,372 cases of cholera.†

External circumstances have the greatest influence in augmenting the attacks of diseases; age and the internal state of the body determine their mortality and duration. When the people of this country

* Lancet, vol. i. 1835–6, p. 855. The rate of sick-time rises among the London labourers at the rate indicated by the above constant (1·343 in 10 years); so, consequently, does the duration of the cases up to 50; when another constant takes its place, and the sickness is doubled (2·15 decennial constant from the age of 50) every 10 years. The mortality of the cases, and of the living, increases in a more rapid progression even than in the general population of London; this is due probably to the selection at 20–35.

† Paper by Mr. Farr, read at the Newcastle meeting of the British Association for the Advancement of Science.—Lancet, Report Med. Annual, 1838, 1839.

are placed amidst destructive agencies, these, like balls in battle, carry them off, by attacking a greater number; they also add to the fatality of the attack; but after a man is seized, age and vital tenacity, exclusively of medicine, are the great modifiers on which his life and sufferings depend. In epidemics the attacks generally become much more fatal at the same time that they are more numerous.

DISEASES.

"*Mille mali species, mille salutis erunt.*"

The diseases which constitute the sickness, and which disable, and carry off the people of this country, form the next section of this investigation. Man's body is compounded of many parts, performing many offices, so diversified in nature, that there is, perhaps, no extensive train of phenomena in the universe which does not find its counterpart in his organisation; crowned with other and higher faculties of sense and intellect, far removed from anything observed in inorganic matter. This complexity and completeness of the human body almost justified the ancient opinion "that man was microcosmus, an abstract or model of the world." For, dust and ashes as it is, who can survey the ruins of the human frame, the bare skeleton to which it is at last reduced, and in clothing it with muscle and tendon, artery and vein, delicate and incessant chemical action, forces adjusted for circulating fluids, and producing motion, sight, and all sense,—affection, passion, thought,—the history of all it may have done and suffered,—without feeling that a world wrecked in space—a planet in all its aberrations—offers a less interesting spectacle than the phenomena manifested by the human body in its progress to death!

With whatever precision the inquiries in which we have hitherto been engaged may measure the magnitude of the national loss by sickness, in seeking remedies a careful examination of the derangements and distempers to which the variable composition of man's body has made it accessible is required; for disease and death come not in one form or garb, nor can they be arrested in one way: "this subject of man's body," Lord Bacon justly observes, "is, of all other things in nature, most susceptible of remedy, but then that remedy is most susceptible of error."

The first and most important statistical division of diseases is into epidemics, which attack and often destroy in a short time great numbers of people; endemics, such as marsh fevers, confined to particular localities; and sporadic affections, occurring in an isolated manner, under the ordinary atmospherical influences.

Epidemics.

In a thinly-peopled uncultivated country, the indigenous plagues may be generally traced to marshes, to famines, or to the congregation of great multitudes in the same spot for superstitious or for warlike purposes. As civilisation dawns, cities are constructed; but they are at first rude inventions, where the supplies of air, water, and food are irregular, the narrow streets shut out the sun, and the dirt, the animal excretions, and decayed organic matter, are suffered to infect the air. In a high temperature, the effluvial atmosphere becomes a

deadly poison; and it is only as science advances, and the construction of cities is improved, that epidemics decline.

In England, before the Norman conquest, there were no large cities; the population was scattered over the country, then densely wooded, marshy, and partially tilled. Grain was cultivated; but swineherds and shepherds formed a considerable portion of the pastoral, rather than the agricultural Saxons. Bread and beer were made; but fish, particularly eels, and flesh, especially pork, fed on acorns, were comparatively more abundant. The meat was killed and salted at the beginning of winter to save fodder. Three-fourths of the population, at the time of the Conquest, were slaves. In such a state of society, with an imperfect cultivation of the soil and incessant intestine wars, neither capital nor the stock of provisions could accumulate. Famine, in the words of the Saxon chroniclers, scoured the hills. Several severe dearths are recorded in the chronicles; and pestilence followed in their train. Murrains were frequent. Fever and dysentery were epidemical. Besides the epidemics generated by bad crops, murrains, famine, and war, the plagues generated in the thronged cities of the Orient, devastated this kingdom. Fordun cites a Greek historian, to the effect, that a dire mortality prevailed, A. D. 669, all over Europe, and did not spare the remotest islands; namely, Great Britain and Ireland.* In 664, a sudden pestilence (Man-cyalm), after depopulating the southern coasts of Britain, infested the province of the Northumbrians, and, raging for a long time in every direction, destroyed great multitudes.† This was probably the buboe plague, which became epidemic in Constantinople, A. D. 531; and in the course of the sixth century destroyed, according to Procopius, half the population of the Eastern empire. It reached Italy in the year 565, and spread through the circumjacent countries. In the chronicles of the age, we have met with notices of fatal famines and pestilences, A. D. 664, 669, 678, 759, 822, 897, 961, 975, 976, 987, 1004, 1005, 1042, 1047. The catalogue is no doubt imperfect; for plagues, like heroes, have bad historians among barbarians. Hecker maintains that the smallpox reached France in the year 580, and cites some remarkable passages in proof of this, from Gregory of Tours.‡ The disease was called *Morbus dysentericus cum pusulis;* and it is not unlikely that smallpox formed more than one of the epidemics in England.§ It is related that Elfrida, Alfred's daughter, had this disease.

1066—1400. William the Conqueror broke down the remains of allodial freedom, and rigorously enforced the feudal system, as it was much better suited to the purposes of military subjugation. "Castles," says the Saxon chronicler, "he let men build, and miserably swink the poor." Three years after the Conquest, universal famine prevailed, and the wretched inhabitants ate dogs, cats, horses, and human flesh; some, to sustain a miserable life, sold themselves as slaves, while others fell down dead on the way to exile.‖ Henry of Hunt-

* Fordun, Scriptores, xv. vol. iii. p. 646.

† Bed. Hist. Eccles. Ang., and Saxon Chronicle, an. 664.

‡ Geschichte der Medizin. 2 B. p. 145.

§ There is a charm against the smallpox (Wiδ Poccas) in the Cotton MSS. Caligula A. 15 vi. fol. 125.

‖ Simeon, Dunelm. Hist. p. 199, script. Savill.

ingdon laments, in his day, that "there was scarce any chief of the progeny of Engles in Engleland; but that all were reduced to slavery and sorrow." Concessions were slowly wrung from the Crown by artisans and traders, who obtained protection in towns; and so early as the thirteenth century made their voice heard in the national councils. Simon de Montfort summoned the Commons. Edward I. conceded that no tax should be laid without consulting Parliament. The cottiers endured greater hardships than the towns-people, and without any remedy, for they had no magistrates of their own caste. But many labourers were emancipated; and destructive epidemics, particularly the pestilence of 1348-9, by diminishing the labouring population, raised the rate of wages. A reaper could not be had for less than 8*d.*, a mower for less than 12*d.* a day, with food. Edward III. enacted that the labourers should demand no more than the usual wages; but the latter, haughty and obstinate, regarded not the King's command! Many were cast into prison; many ran into the woods: others, after having been sworn, in prison, not to take more than their usual wages, were liberated. Artisans in towns were treated in the same manner. The aristocracy ascribed the rebellion of 1381, under Richard II., to the "ease and riches of the common people;" but, as the latter were probably equally good judges of their own circumstances, it will be well to weigh their own description, preserved by Sir John Froissart. Assembled in thousands around their youthful king, they said:—"Whereby can they [the Norman nobles], say or shewe that they be better lords than we, vestured with poor cloth [draps]. They have their wines, spices, and good bread; we have rye, and the drawings out of the chaff,—and drink water. They dwell in fair houses; and we have the pain and travail, rain and wind, in the fields. And by that that cometh of our labour, they keep and maintain their estates. We be called their bondmen, and without we do readily them service, we be beaten. The King asked, what will ye? We will that ye make us free for ever; ourself, our heirs, and our landes: and that we be called no more bond, nor so reputed.—Sirs, said the King, I am well disposed thereto."*

In this state, when the people were depressed, and the resources of the country were dried up, or wasted in war, epidemics were frequent and fatal. The chroniclers record famines, murrains, and epidemics, A. D. 1069, 1070, 1073, 1086, 1087, 1093, 1096, 1103, 1111, 1112, 1124, 1125, 1126, 1162, 1175, 1176, 1183, 1189, 1196, 1203, 1221, 1224, 1252, 1257, 1258, 1259, 1271, 1289, 1294, 1295, 1315, 1316, 1318, 1341, 1348, 1349, 1355, 1361, 1362, 1369, 1379, 1390, 1391, 1392. A few examples will prove the severity of these visitations. In 1093, it is figuratively said, the quick could scarcely bury the dead.† 1124. A dearth prevailed; lifeless bodies lay everywhere unburied in the cities, villages, and cross roads.‡ 1196. The common people (vulgus pauperum) perished in every quarter for lack of food; and the fiercest pestilence followed, in the form of an *acute fever*, which destroyed

* Berners' Trans. 1525, p 202; collated with the French edition of Sauvages. Berners omits rye, *seigle*.

† Stow's Annals, p. 132.

‡ Simeon Dunelm. Hist. p. 251.

such numbers, that scarcely any were left to minister to the sick. The customary funeral services ceased. In many places large ditches were made, into which the dead were thrown.* 1257. The inundations of autumn destroyed the crops. This pestilential year gave birth to fatal fevers. In the summer, and principally the dog days, two thousand dead bodies were carried to the cemetery of St. Edmund's. 1258. Innumerable multitudes of poor people died of hunger. About the feast of the Trinity, the pestilence grew intolerable; 15,000 are said to have perished in London alone; and elsewhere, in England, thousands died. The *summa* of wheat rose at last to 15*s.*, and higher: the rich only escaped death by purchasing foreign grain; the middle classes sold their possessions, and many of honourable degree were reduced to beg from strangers, or, restrained by shame, to pass the night in unnumbered sighs, hungry, pallid, dinnerless. These famines were attributed to the scarcity of money, produced by the exactions of the Pope and the King.† 1315. Provisions grew dear, and the Parliament attempted to fix the price; but the next year (1316) they grew still dearer. The quarter of wheat was sold for 30*s.* and 40*s.* Such a mortality, particularly of the poor, followed, that the living could scarcely bury the dead. A dysentery, generated by corrupted food, infested vast numbers, and reduced many to the last extremity. Horses, dogs, and even (it is alleged) young children were eaten.‡ The *Black Death*, which broke out at Southampton, August 1348, is reported, though there can be no doubt that the statement is a gross exaggeration, to have destroyed half the population. The *Black Death* had many symptoms which characterise plague: the stupor, the sleeplessness, the loss of speech, the black tongue, the unquenchable thirst, and the glandular swellings; putrid inflammation of the lungs, with intense pain in the chest, and bloody expectoration. The attack proved fatal in two or three days, sometimes in half a day. This epidemic began in the East.§ 1355. A peculiar kind of madness was epidemic; those affected, fled into the woods, and wandered about the fields. 1379. A plague broke out in the northern parts of the island. In this extremity, the Scots fell upon the country; and before making their incursions, prayed: "Gode, and St. Mango, St. Komayn, and St. Andrew, shield us this day fro Goddes grace, and the foule death that Englishmen dien upon." ‖

The havoc made by these desolating plagues, though exaggerated, must have been still very great. The poverty and want of accommodation, of all classes, propagated diseases with frightful rapidity.

1400—1700. As the labouring population, gradually recovering the losses sustained in sickness and the recurring epidemics, became numerous, the value of labour somewhat diminished; the servile toil of the bondmen was worth little more than their subsistence, and their long cries for enfranchisement were heard between the fourteenth and the seventeenth centuries. In an unpeopled country, where agricul-

* Chron. of W. Hemingford, vol. ii. p. 546-7. Rer. Ang. Scrip. ab. H. Savillo.
† Mat. Paris, Hist. Ang. p. 958-987.
‡ Walsingham; an. 1316. Ang. a vet. Scripta ex Bib. G. Camden.
§ See Hecker's Hist. of Black Death. Hist. of Edward III., by J. Barnes.
‖ Walsingham, Ang. Scrip. p. 228.

ture and the arts are springing up, labour is dear; the strong make the weak slaves, and obtain their labour for their maintenance; but when slaves impatiently demand enfranchisement, and the lord of the soil, or the capitalist, can obtain better labour for less money in wages, than he must expend in keeping up a stock of serfs, why should he desire to keep the labourer in thraldom? An English landlord would no longer undertake to maintain the population upon his estates, in exchange for their servile offices; but a proprietor in Canada, or in New South Wales, would hesitate ere he rejected a similar offer; and a proprietor in Demerara would gladly accept it. If the wages of certain labourers were relatively higher in the fourteenth than in the nineteenth century, are we, therefore, to conclude, that the mass of the population were in better circumstances? Unquestionably not: there were free labourers; their wages were high, and for that reason precisely the mass of the labouring population remained serfs. They were bondmen; they received no direct wages; they were dressed in canvas, and lived upon the poorest food that would keep them alive. Fortescue, in the time of Henry VI., talks, indeed, of the English people drinking no water, except on a religious score, of their feeding upon abundance of flesh and fish, and of their being clothed in good woollens. The Chancellor, in exile, had in his eye the middle and higher classes; as fashionable physicians, ascribing all the diseases of mankind to luxury, understand only that part of mankind from whom they receive high fees; or as in historians, we read of the liberties of the Roman and Greek people, when under the republics, the labouring classes, now emphatically called the people, were mostly slaves. It cannot be concealed, says Walsingham, in a grievous famine, that while the poor perished of hunger, the rich habitually indulged luxurious tables.

Caius, in his book upon the sweating sickness, bids his patient "not to go out fasting; yet this is not so to be understood, that in the morninge, we shall streighte, as our clothes be on, stuffe our bellies as full as Englishmen, as the Frenchman saith, to our shame." Caius erroneously maintained, that the epidemic did not reach Scotland or Germany, and that abroad it only seized Englishmen: "Cause whereof none other there is naturell than the evil diet of these countries, which destroy more meates, and drenckes, without all order, convenient time, reason, or necessitie, than either Scotland or all other countries under the sunne." In another passage the writer says, "They which had this sweat sore with perill or death, were either *men of wealth, ease*, and *welfare*, or of the poorest sort, such as were idle persons, good ale-drinkers, and taverne-hunters. *The labourers and thin-dieted people* either had it not, because they eat but little to make the matter; or with no great grefe and danger, because they laboured out much thereof."

Various edible vegetables and fruits were introduced in this age, as parts of the daily food; ale was brewed with hops; tea and coffee, and spices began to be used; tobacco, notwithstanding the royal counter-blast, was smoked, and alcoholic drinks were distilled and drunk.

Until the reign of Elizabeth, no systematic attempt was made to

enumerate the deaths from plague, and from other diseases. The great men at the head of her government immediately perceived the importance of accurate information on this head; and the deaths in the plague year, 1563, were no longer left to conjecture, but counted, in the metropolis. They are thus given by the chronicler Holinshed:—

Died in London.	Of the Plague.	Of other Diseases.	Total Deaths.
In the City and Liberties (108 parishes) .	17,404	2,968	20,372
In the 11 out-parishes	2,732	556	3,288
Total	20,136	3,524	23,660

The clergy had been commanded by Cromwell to register the burials, baptisms, and marriages; and in 1594 orders were issued by the Privy Council to the justices, enjoining them, wherever the plague was, to see that the minister of the church, and three or four substantial householders, appointed persons to view the bodies of all that died, before they were suffered to be buried, and to certify the minister or churchwarden of what *probable disease* each individual died. The minister or churchwarden was to make a *weekly* return of the numbers that were infected or died, also of all who died in their parishes, with the probable diseases of which they died, to the neighbouring justices. The returns, thus collected, were to be entered by the clerk of the peace in a book kept for the purpose; and the justices, assembled every three weeks, were to forward the results to the Lords of the Privy Council.* This comprehensive scheme of registration gave rise to bills of mortality; of which several were commenced about this period. The London bills, which began in 1593, and have been preserved in an almost uninterrupted series, from the year 1603 down to the present period, will enable us to obtain a tolerably near approximation to the mortality produced by the buboe plagues of the seventeenth century.

The deaths recorded in London were as follows:—

Years . . .	1593.	1603.	1625.	1636.	1665.
Died of Plague . . .	26,005	36,269	35,417	10,400	68,596
Died of other Diseases .	15,764	5,773	18,848	12,959	28,710
Total Deaths .	41,769	42,042	54,265	23,359	97,306

Fresh parishes were gradually included in the bills of mortality; but assuming that the average population in the city and liberties of London was nearly 130,178†, the following table exhibits the rate of mortality in four plagues.

* Orders thought meet by Her Majesty and her Privy Council to be executed throughout the counties of this realm, in such towns, villages, and other places, as are or may be hereafter infected with the plague, 1594.

† Vide note in subsequent page.

Liberties of London within and without the Walls, 113 *Parishes; the Population* 130,178.

Years.	Deaths reported of Plague.	Total Deaths.	Annual Deaths per Cent.
1593	18,771	31,891	24
1625	26,260	40,722	31
1636	6,666	16,905	13
1665	38,775	56,558	43
Total . .	90,472	146,076	28

It is scarcely possible at this distance of time to conceive the desolation occasioned by these dreadful pestilences. Now the annual deaths in the metropolis, extending from Kensington to Greenwich, from Islington to Camberwell, do not exceed 50,000; and the mortality was not raised more than 30 per cent. in 1832, when Asiatic cholera excited so much terror. The deaths scarcely amounted to 65,000 in the year of epidemic cholera; if the same rate of mortality had prevailed, as in the plagues of the seventeenth century, the deaths in the metropolitan districts would have exceeded *half a million!* Perhaps, however, the population of the city may have been under-rated, and it is suspected that the deaths were over-rated; still, however, the mortality must have been enormous.

1700—1838. The plague has never visited London in an epidemic form since 1665. Fever, dysentery, influenza, smallpox, scarlatina, and measles, became the prevailing epidemics; and up to the middle of the eighteenth century one or other of them frequently cut off 8,000 or 10,000 lives in an outbreak. They maintained a high mortality; but no epidemic ever raised the annual mortality above 30 per cent. Influenza and other epidemics have scarcely failed to recur at intervals in all the towns of the kingdom, and will continue to recur so long as their causes exist; but, since 1665, no epidemic of so much importance has been observed as the cholera, which broke out at Sunderland, October 23, 1831, and reached London in the warm moist February of 1832. The London bills of mortality of that year ascribed 3,200 out of 28,605 deaths to the epidemic. The mortality in some foreign cities was ten times as great. The absence of plague from London has been ascribed by certain speculators to the enforcement of quarantine; the cholera demonstrated the inefficacy of the entire machinery of quarantine establishments, by crossing the cordons in every direction without any hesitation. It is time that this folly should be abandoned. Governments might shut out the four winds of heaven; but pestilence will laugh at their precautions, while they retain the elements of pestilence in the bosom of their populations. Every fact, with which science is acquainted, tends to prove, that if we cannot exclude this subtle fire from our habitations, we can, to a certain extent, render them pestilence proof. A prosperous nation, whether scattered over a cultivated soil, or concentrated in well-constructed cities, has little to dread from the importation of cholera, plague, or yellow fever. In unhealthy places, the exclusion of one form of dis-

ease is of little advantage; for other priests minister at the altars in its stead, and sacrifice the victims.

It has been remarked, that the chasm created by epidemics is speedily filled up; and that where the ordinary mortality is high, the reproductive power is exalted in the same ratio. This is, however, a poor compensation. The epidemic cholera destroyed 18,000 persons in Paris; excluding immigration for a moment, let it be admitted, which however is not the case, that in two years the births were in excess to the same extent: the population would be actually the same in numbers; but the 18,000 new members are helpless infants, and must be fed by their parents or the state for many years; while of the 18,000 destroyed by cholera, 10,953 were in the prime of life, between the ages of 15 and 60 years.

Other articles of this work exhibit the present state of the empire. In them will be found described the economical and political ameliorations which have led to the mitigation of famine, and the decline of pestilence. We have not space to follow them step by step from the 17th to the 19th century; and shall only refer to one point—the coincidence between the advancement of medical science and the improvement of the public health. Medical science was almost unknown down to the reign of Henry VIII. In the 16th century, Linacre, Caius, and other eminent scholars, translated several works from the Greek; in the 17th century anatomy was ardently prosecuted, and the discovery of the circulation of the blood, by Harvey, led to other discoveries, which threw a new light, not only upon the processes of human life, but upon the agencies by which they are disturbed or arrested. Bathurst, Henslow, Hook, Mayow, and Boyle explained the nature of respiration to a certain extent; and directed attention to the vital influence of the atmosphere. With Priestley, and modern chemistry, a fresh flood of light broke in upon the subject. Sydenham and Wiseman founded a practical, experimental school of physic; new remedial agents were discovered; and towards the close of the 17th century, the mass of the population began to be attended by men who had some acquaintance with the principles of the art of healing. The excessive mortality in cities was registered; the public became aware of the causes of disease; and imperfect, but, as the event proved, not entirely ineffectual measures were taken for their gradual removal.

In this sketch we have met with nothing to substantiate the dreams of those writers who fancy that savage life, privation, and ignorance conduce to health. It is in the future, not in the past, that we look to see man attain physical perfection, exercise the faculties of his nature 70 years, live free from the pangs of disease and the terrors of pestilence, and descend at last into the grave in company with the friends of his youth.

Endemics.

The medical topography of England is yet imperfect; but the Provincial Medical Association is now diligently prosecuting this important part of medical inquiry, to which their attention was specially directed in an able paper by Dr. Conolly. The last volumes of the Transactions contain some good topographical articles; that of Dr. Forbes, on the

Land's End, to which we shall again have occasion to refer, is distinguished for the comprehensiveness, candour, and good sense with which it is drawn up. From the volumes of the association before us, and other sources of information, it does not appear that at present any special endemic prevails in England. Agues are frequent in the marshy districts of the low eastern coast, in Lincoln, in Essex, in Kent, in Cambridgeshire. The mortality of the latter county, in which the agricultural is 61 per cent. of the total population, rises very high; the marshy Isle of Ely making it one of the most unhealthy counties in England. The mortality does not fall particularly on infancy, as M. Villermé inferred from Mr. Rickman's tables of mortality. The mortality at several intervals of age, calculated from the numbers living and the deaths in the marshy and other counties, may be seen in the table previously given.

Wen, *Derbyshire neck*, or bronchocele, exists all over England to a greater or less extent. It is not frequent, except in some of the close valleys, surrounded by hills: from its having been common in Derbyshire, the *Derbyshire* neck designates the peculiar disease in this country. Besides the thyroid gland, this affection involves the brain and the organs of the senses; in the Valais, and both sides the Alps, bands of idiotic Cretins are seen, who almost form a distinct variety in our race. The disease has rarely been carried to this extent in England; and, in iodine, medical men have now an almost unfailing remedy for the early stages of bronchocele, as well as for scrofula.

Sporadic Diseases.

Sporadic diseases are the great class of isolated disorders, attacking, not by sudden outbreaks, but regularly and constantly, a certain proportion of the living. Inflammation of the lungs, consumption, apoplexy, cataract, are examples. No definite line separates them from epidemics and endemics. To discover their relative frequency, and the share each particular malady has in the sum of constant sickness, it is not enough to resort to the bills of mortality; for these only record fatal diseases, taking no notice of the slighter affections, which partially or entirely render a man unequal to his duties: besides, the proportion of deaths from two kinds of disease is rarely, if ever, the same as the relative frequency of the attacks. The deaths induced by consumption, by inflammation of the lungs, and by measles, furnish but indirectly an index to the numbers attacked by these maladies.

The following observations show that the rate of mortality induced by different diseases has an extensive range:—

	Cases.	Deaths.	Deaths per Cent.
Cholera (Galicia, 1831) .	255,774	96,081	37·6
Fever	1,273	143	11·2
Dysentery	3,961	418	10·8
Small-pox	14,804	1,588	10·7
Scarlet Fever	2,422	211	8·7
Hooping Cough . . .	8,007	533	6·7
Measles	14,051	327	2·3

Again, in estimating the prevalence of disease, two things must be

distinctly considered; the relative frequency of their attacks, and the relative proportion of sick-time they produce. The first may be determined at once, by a comparison of the number of attacks with the numbers living; the second, by enumerating several times the living and the actually sick of each disease, and thence deducing the mean proportion suffering constantly. Time is here taken into account: and the sick-time, if the attacks of two diseases be equal, will vary as their duration varies, and whatever the number of attacks may be, multiplying them by the mean duration of each disease will give the sick-time.

In Paris the mean duration of fatal cases of cholera was 2 days, 13 hours, and 8 minutes; 18,400 cases occurred which ended in death; probably an equal number recovered after being ill a week: the entire sick-time induced by cholera was, therefore, about 158,118 days, which, divided by the population (774,338), gives less than 5 hours' sickness for each person. The cholera sickness amounted through the year to no more than ·00056 constantly sick. This distinction is of vast importance; for the constantly sick, contributing nothing to their own subsistence, and requiring the care of others, bear with a heavy weight on the community; and when the diseases are chronic, only prolonged pains and gloomy prospects brood over the sufferers. For this reason, where the conditions of existence are unfavourable, and a great proportion of the people are weak, sickly, and doomed to untimely death, a sudden epidemic cuts short their agonies, and purifies the race: it is an amputation of members already gangrened, and falling off by inches; at the same time, however, it carries off a great number of the healthy. If those who had cholera in Paris had been seized by consumption, they would have endured 73,600 years of sickness instead of 158,118 days: the living in the epidemics of the middle ages could not have watched the sick if their diseases had been protracted. In this sense only, epidemics can be looked upon as merciful visitations of Providence, for moderating evils self-inflicted on mankind. The comparative prevalence of disease, of which medical men speak in their writings, seems to involve a compound notion, including the attacks and their duration. As there are few statistical data for determining the relative prevalence of each form of disease, we have only some general remarks to offer.

Insanity has been said to be on the increase in this country. Dr. Powell, secretary to the Commissioners for licensing madhouses, showed that the number of lunatics confined in private asylums in England augmented in eight quinquennial periods (1775—1814) from 1,783 to 3,647; and thence deduced the above inference. Willan, Bateman, and Burrows, held an opposite opinion. Notwithstanding the returns made to the House of Commons, the data necessary to determine the prevalence of insanity are yet imperfect.

In 1833 there were 399 lunatics confined under the Crown; the nett incomes of 351 amounted to 269,158*l.*; the incomes of 48 had not been ascertained. The average annual income of each lunatic in the care of the Lord Keeper was 767*l.* In 1830 there were 108 licensed houses for lunatics in England and Wales; 38 in the metropolitan, 70

in the country districts; 2,343 patients in the former, 2,153 in the latter.

Pauper Lunatics and Idiots in England and Wales, from a Return made to the House of Commons, 1836.—Confined in asylums built under provisions of the 9 Geo. IV., c. 40:—Lunatics, males 1,260; females 1,350: idiots, males 90; females 80.—Confined in private lunatic asylums: lunatics, males 659; females 744: idiots, males 35; females 53.—Under the care of parish officers:—lunatics, males 915; females 1,474: idiots, males 3,247; females 3,760.—Total lunatics 6,402; idiots 7,265; lunatics and idiots 13,667. Of paupers alone there was 1 person of unsound mind to 1,024 of the population.

In 436 Unions there were 5,259 idiots (2,602 from birth); and 3,841 lunatics, of whom 2,601 were deemed incurable. Of 100, 58 were idiots (29 from birth); 42 lunatics, of whom 29 were considered curable, 13 incurable.

The average proportion of cures in asylums is 40 per cent.; the mortality 26 out of 100 cases; the deaths per cent. per annum 9·0. The average charge of the pauper lunatics in the county asylums is 7*s.* a-week. The Government pays 15*s.* 4*d.* a-week for 75 criminal lunatics at Bethlem! *

The insane, according to Sir A. Halliday, are more numerous in agricultural than in manufacturing districts; they are also more numerous in Scotland than in England.

	Population.	Insane.	Proportion.
12 Agricultural Counties	2,012,979	2,526	1 to 820
12 Manufacturing or Mining Counties	4,493,194	3,910	1 — 1,200

Do these returns prove that the tendency to insanity is greatest in agricultural districts? We do not think they do. It is doubtful whether the greater proportion of idiots, indicated by the returns, proves that proportionally more idiots are *born* in the country, in Wales, or in Scotland, than in London. The number of idiots living at any one time depends on the duration of their life, as well as on the proportion born; if the Welsh idiots lived twice as long as the idiots born in London, twice as many would enter into Sir A. Halliday's enumeration, although the tendency to idiocy was the same in both places. In Wales, and remote villages, the idiot lodges in a cottage, and, supported by the parish, is the qualified butt, and of course the favourite, of the neighbourhood: in towns he would have more difficulty to survive the nursing in a workhouse. An idiot, Jack of Pool, in Montgomeryshire, lately died, aged 109: he lived near the residence of old Parr, and was clothed by a neighbouring lord, who secured his vote at every election. If we exclude congenital idiots, and only calculate the proportions insane, it is likely that the tendency to madness would be found greater in towns than in the country,—in England than in Wales and Scotland. If lunatics in this and other countries be now better treated than formerly,—and this is incon-

* Statistics of English Lunatic Asylums. Sherwood.

testibly the case,—their life is necessarily prolonged; and the proportion to the population increased, although the tendency to insanity may be diminished. The horrible dens in which lunatics were formerly lodged must have greatly diminished their numbers. The number of lunatics, members of the Society of Friends, in the Retreat, near York, has been of late years 64; the mean annual admissions 1812–33 were 15·2;* and the Quakers in England do not exceed 23,000: consequently out of 10,000 of that body, 7 become insane every year, and 28 are constantly in the asylum. But as it appears, from the report of Mr. Tuke, that more than 6 months elapse after the attack before the patient enters the asylum, while 14 per cent. quit the Retreat unrelieved, at least 6 more lunatics out of the asylum must be added to the 28 confined; which will make the insane amongst the Quakers 3·4 per 1000. Is not this a nearer approximation to the insane among the richer classes in England than the calculation of Sir A. Halliday, founded on imperfect parliamentary returns?

Consumption is a disease in which the lungs are principally affected: it begins with a change in the constitution, followed by the deposit of a cheese-like matter, forming tubercles in the lungs, and other parts, ending in ulceration: when this tuberculous matter is deposited in the glands of the neck, and in the bones and joints, it constitutes scrofula; in the glands of the abdomen, mesenteric disease; neither of which affections differs from consumption in its essential anatomical cause. Foreign writers appear to think this disease more prevalent in England than on the Continent; a prejudice probably derived from statistical reports ill understood. Dr. Young and Dr. Woolcombe calculated, from the bills of mortality, that in England and Ireland consumption causes one-fourth part of the deaths. Sir James Clark believes that, after deducting the deaths in early infancy, a third part of the mortality in this country arises from tuberculous diseases. It is the opinion of this eminent physician, whose opportunities of observation have been very extensive, that consumption and scrofula are stationary among the labouring classes of the country. "But," he adds, "whether tuberculous diseases have diminished or not during the last century among the labouring part of our population, I am of opinion that they have increased in the middle and upper ranks." † The number of children reared has doubled within the last century, and the mortality between 20 and 30 appears on the increase; so that, unless the hygienic precautions, very ably enforced by Sir James Clark, be followed, it is not improbable that an increase of weakly bodies and of consumption may be observed.

Stone.—Mr. Smith of Bristol, and Dr. Yellowly, have bestowed great pains in forming a statistical account of calculous diseases. According to the estimate of Dr. Yellowly, 111 persons are cut every year in England and Wales for stone in the bladder: of these, 15½

* A Treatise on Insanity, by J. C. Pritchard, p. 145. A few of the lunatics admitted at the Retreat were apparently not Quakers; but these would not compensate for cases of a mild character never sent to the asylum. See also pp. 198–201, and pp. 328–351.

† A Treatise on Pulmonary Consumption, by Sir J. Clark, M.D., F.R.S., p. 10.

cases occur among the inhabitants of Norfolk and Suffolk, and 31 in London. This will be seen, and the proportion to the population, in the following table * :—

Place.	Number of Stone Cases	Cases per Annum.	Comparative Frequency.
Norfolk, including Norwich	575	10·26	1 in 34,000
Norfolk, excluding Norwich	447	7·98	1 — 38,100
Suffolk		5·26	1 — 44,000
London		31·	1 — 38,000
Adjacent Counties		16·	1 — 76,000
England and Wales		111·	1 — 108,000
England and Wales, excluding Norfolk and Suffolk		95·5 -	1 — 118,000
Bristol and Liberties	173	2·1	1 — 41,000
Bristol Country District	181	2·2	1 — 340,000
Scotland		8·	1 — 250,000
Dundee	26	·86	1 — 41,300

The *venereal disease* has diminished in intensity, if not in the frequency of its onsets; it is now, certainly, never communicated by the breath, as it is reported to have been in the fifteenth century. A mild treatment suffices to effect the cure of its common forms, and mercury is no longer employed to an enormous and noxious extent. Syphilis was at first confounded with leprosy; and its virulent eruptions on the skin, aggravated, like other skin diseases, by the filth and vitiated health of the people at the time it became exceedingly prevalent, have subsided into milder forms. The skin diseases, designated leprosy in the middle ages, for the reception (not the cure) of which so many hospitals were erected, survive in the itch, and a few, but not very malignant, eruptions. An able writer in the *British and Foreign Medical Review*† says, "Herpes zoster (shingles) is seldom, in truth, here thought of any importance, although the details of many continental authors abound with descriptions which plainly connect it with formidable constitutional disease. The same, and perhaps a greater degree of violence of character, will be found to prevail in cases of herpes in unhealthy localities, where the people are miserably fed and hardly worked. We see in the description of Alibert, and the author before us, as well as in many others, accounts of almost all diseases of the skin so widely different from any which are observed in the British Islands, that we doubt and occasionally deny their identity." The common acne of the chin, on a part covered with hair, becomes a frightful disease in France. Among the better classes of society in England, if we except lepra, impetigo is more frequently seen than any other skin disease. Scald head and itch are more frequent among the dirty children of paupers.‡

* Remarks on the Tendency to Calculous Disorders, by J. Yellowly, M.D. The subject is difficult; but it has been skilfully handled by Mr. Smith and Dr. Yellowly, and every effort made to obtain the numbers occurring in each particular locality.—Trans. of Royal Society, 1829, p. 1, 55.

† No. 3. Review of M. Rayer on Diseases of the Skin, p. 149.

‡ *Med. Jahrbucher, &c.*, vols. 3—10. Austria; observers—Knoltz, Nadherny, Streintz, Slawikowski.

*Table showing the Principal Diseases among the White Troops in Jamaica.**

	Admissions.		Deaths.	
	Total among whole force in 20 years, 1817–36.	Annual Ratio per 1,000 of Mean Strength.	Total among whole force in 20 years.	Annual Ratio per 1,000 of Mean Strength.
Fevers	46,922	910	5,253	101·9
Eruptive Fevers	10	¼		
Diseases of Lungs	4,357	84¼	388	7·5
,, Liver	539	10	51	1·
,, Stomach and Bowels	12,282	238	260	5·1
,, Brain	720	14	137	2·6
Dropsies	268	5	61	1·2
Rheumatic Affections	1,479	29	5	
Venereal Affections	1,021	20	1	
Ulcers and Abscesses	9,667	187	18	
Wounds and Injuries	6,164	120	21	2·
Punished	3,285	64		
Diseases of Eyes	4,644	90		
,, Skin	337	6		
All other Diseases	1,760	34	59	
Total	93,455	1,812	6,254	121·3

Fatal Diseases, and the Causes of Death.

Violent death takes place in a thousand forms: but it may generally be referred to obstructed respiration, as in hanging, drowning, suffocation; to loss of blood, as in severe wounds, hæmorrhage, rupture of vessels; to destruction of structure, and a shock, as in falls, blows on the head or spinal marrow, contusions, gunshot wounds; and to devitalisation, if the word may be used, by prussic acid, mental emotion, lightning. Death in its most common form is the effect of disease in the brain and spinal marrow, the blood, the lungs, the heart and blood-vessels, the bowels. Fever, inflammation, and various morbid products, infect the whole system, and prove fatal sometimes by the mechanical injury they do, but more frequently by an alteration of the chemical, physical, and vital processes. Persons die of inflammation in the stomach before its structure is disorganised: fever is at times fatal without producing any essential lesion of a vital part: cholera, plague, and other epidemics, extinguish existence as rapidly as poison.

In presenting a tabular view of fatal diseases, it is desirable on many accounts to arrange them in groups, related as regards their locality, and their essential forms or phenomena. To examine them in these two points of view, we have classified the several observations (1.) according to the organs or systems of organs implicated; and (2) according to the special nature of the disease. But with the London bills of mortality a different arrangement has been pursued: without following any classification, we have placed infantile diseases, eruptive fevers, plague and fevers, diseases of the bowels, and diseases most resembling each other in their essential phenomena, in the same group. This was necessary, as the nomenclature necessarily varied in the course of two centuries, and the same disease passed under another title. The names of diseases, although derived generally from some very striking feature in the case, are not unfrequently vague and obsolete, so that it is only

* Statistical Report of the Sickness, &c., among the Troops, 1838.

by a careful study of the contemporary writers that any hope of interpreting them can be entertained.

Col. A. in the annexed table is deduced from 65,706 observations made in the 7 years, 1629–1635, the first published: col. B. from 426,253 diseases recorded in the 20 years, 1660–1679, a period made the subject of Sydenham's immortal works: col. C. from 732,873 deaths occurring in the 30 years, 1728–1757; cols. D. and E. are in great part from Mr. Milne's work on Annuities: col. F. presents the results of the five last bills (1831–5), and the actual fatal diseases of London, so far as they are exhibited by the late system of returns by parish clerks. It is calculated on 118,895, the total deaths, exclusive of the still-born.

*Table of the Fatal Diseases of London for the last Two Centuries; showing, in 1,000 Deaths, the Proportion by each particular Disease.**

	A. 7 Years, 1629—35.	B. 20 Years, 1660—79.	C. 30 Years, 1728—57.	D. 10 Years, 1771—80.	E. 10 Years, 1801—10.	F. 5 Years, 1831—35.
Abortives and still-born	. .	26·8	23·0	. .	. .	. .
Chrisomes	247·7	36·1	. .	. .	. .	. .
Overlaid	1·1	2·3	. .	·2	. .	. .
Convulsions	22·2	77·8	277·1	271·0	. .	92·6
Worms	2·7	1·5	0·5	·3	. .	·2
Teething	49·7	54·0	50·0	36·0	. .	14·1
Inflammation of the brain	. .	. .	. .	. .	. .	5·7
Mold-shot head, dropsy on the brain	. .	0·4	4·0	1·0	. .	33·2
Rickets	1·0	17·6	2·0	·1	. .	. .
Livergrown	8·5	0·9	0·2	·05	. .	. .
Canker, thrush	3·3	3·4	4·3	3·8	. .	4·4
Croup	. .	. .	. .	. .	. .	5·8
Chin-cough	.† .	1·2	5·2	17·3	. .	39·5
The above infantile diseases	336·2	195·7	343·2	329·75	270·3	195·3
Small-pox	37·8	50·9	30·0	100·3	69·5	26·9
Measles	3·3	5·8	7·0	9·5	32·1	27·0
Swine-pox, chicken-pox, rash	·6	·1	1·01	·1	. .	. .
St. Anthony's fire, or erysipelas	. .	0·06	0·1	·1	. .	2·9
Fever, scarlet	. .	. .	. .	. .	. .	16·7
Fever	127·1	95·9	148·3	124·1	89·9	33·8
Intermittent	. .	. .	. .	. .	. .	·8
Spotted	9·0	11·1	. .	. .	. .	. .
Plague	25·9	161·7	. .	. .	. .	. .
Griping of the guts, colic, twisting, wind	2·2	102·5	9·0	2·3	. .	0·4
Bloody flux, flux	42·5	6·7	1·4	1·0	·3	. .
Cholera morbus or surfeit	12·6	18·5	0·1	0·5	. .	42·3
Vomiting and looseness, diarrhœa	0·2	1·6	0·6	·3	. .	1·4
Stopping of the stomach	·8	12·6	5·0	·6	. .	. .
Constipation	. .	. .	. .	. .	. .	1·0
Rupture	·6	1·3	0·7	·5	. .	1·2
Quinsey, sore throat	·8	1·5	0·7	1·0	. .	1·5
Cough and cold	5·1	. .	. .	0·2	. .	. .
Pleurisy	2·8	0·7	2·0	1·0	1·3	12·1
Influenza	. .	. .	. .	. .	. .	1·2
Inflammation	. .	. .	2·0	6·2	34·5	96·0
of bowels, stomach	. .	. .	. .	. .	. .	15·2
Indigestion	. .	. .	. .	. .	. .	9·3
Disease of the heart	. .	. .	. .	. .	. .	5·4
Asthma and tisick	. .	. .	21·0	17·1	30·3	42·4
Consumption	204·1	153·4	170·0	224·3	253·5	177·2
King's evil	2·7	2·4	1·0	1·0	. .	0·9
Fistula	2·6	2·1	0·5	·2	. .	0·1
Stricture	. .	. .	. .	. .	. .	0·7
French pox	1·5	3·0	3·0	3·1	. .	0·2
Cancer	. .	. .	2·0	3·4	. .	4·4
Sores, ulcers	2·4	2·6	1·0	·3	. .	. .
Mortification	. .	v. fistula.	0·0	0·9	. .	10·6
Abscess, imposthume	7·3	5·0	1·0	·2	. .	6·6
Tumour	. .	. .	. .	·1	. .	1·2
Scald head, itch, leprosy	·‡ .	·‡ .	0·4	·2	. .	. .
Scurvy	0·4	2·6	0·1	·2	. .	. .

* Column C was calculated by Mr. Corbyn Morris; it includes, as well as column B, the still-born; to compare these columns, therefore, strictly with columns A., D., E., F., from which the still-born were excluded, the items of column B must be raised 1-36th, of column C. 1-42nd. Column E. is from Mr. Milne's work on Annuities; who, it will be perceived, did not calculate the minor items.

† Perhaps cough and cold should come in this place.

‡ Under "*Various.*"

Table of the Fatal Diseases of London, &c.—continued.

	A. 7 Years, 1629—35.	B. 20 Years, 1660—79.	C. 80 Years, 1728—57.	D. 10 Years, 1771—80.	E. 10 Years, 1801—10.	F. 5 Years, 1831—35.
Gravel, stone, strangury	5·0	3·0	1·0	1·9	. .	0·9
Gout, sciatica	·3	0·6	2·0	3·1	4·5	3·1
Rheumatism	. .	. .	. .	. .	. .	1·7
Jaundice	6·5	3·7	5·0	5·8	. .	2·1
Liver disease	. .	. .	. .	. .	. .	12·8
Diabetes	. .	. .	0·06	·05	. .	0·3
Dropsy	29·7	42·6	41·0	45·1	44·5	37·6
on the chest	. .	. .	. .	. .	. .	4·0
Bleeding piles	0·4	0·1	·2	·4	. .	2·0
Apoplexy	2·5	3·7	9·0	11·1	16·6	18·5
suddenly	6·7	. .	. .	. .	. .	. .
Palsy, lethargy	2·3	2·0	2·3	3·7	6·5	8·3
Spleen and vapours	. .	·3	0·05	. .	. .	. .
Green sickness	. .	. .	·002	. .	. .	. .
Rising of the lights and mother.	3·3	2·1	0·5	·02	. .	. .
Grief	1·7	·6	0·4	·2	. .	. .
Fright	·03	·1	. .	. .	. .	. .
Falling sickness	·6	·06	·01	. .	. .	1·5
Jawfallen	1·1	·02	. .	. .	. .	·2
Spasm	. .	. .	. .	. .	. .	2·9
Blasted, planet-strick	·2	·1	. .	. .	. .	. .
Calenture, megrims	·4	·2	. .	. .	. .	. .
Headache	. .	. .	0·03	·05	. .	. .
Lunacy	·5	·4	3·0	2·7	. .	7·6
Hydrophobia	. .	. .	. .	·03	. .	·2
Various	·4	·3	. .	·02	. .	. .
Old age, bedridden	74·1	47·4	78·0	64·7	31·3	111·5
Unknown causes	. .	. .	. .	. .	. .	27·4
Found dead	1·9	·4	. .	·3	. .	·3
Visitation of God	. .	. .	. .	. .	. .	1·8
Starved	. .	·04	. .	·2	. .	·01
Killed by drinking to excess	. .	. .	. .	·3	. .	·4
Suicide	·7	·7	. .	1·6	1·93	2·2
Drowned	3·8	3·3	. .	5·8	6·65	5·0
Smothered	·6	·1	. .	·3	. .	0·04
Burned	·6	·4	. .	·6	. .	. .
Poisoned	·03	·1	. .	·06	. .	0·3
Killed	5·4	2·8	. .	3·1	. .	. .
Accidents	. .	. .	. .	·3	. .	7·4
Murdered	·3	·6	. .	·3	. .	·17
Executed	1·8	·8	. .	1·1	. .	·16
Total of the above casualties.	14·9	9·2	16·0	14·0	17·2	17·78
Childbed and miscarriage	16·1	12·2	6·0	9·4	10·2	13·4

Some of the terms in this table require explanation. The mold-shot head, or horse-shoe head, was a chronic form of water on the brain (hydrocephalus); but, under the name of dropsy or sometimes inflammation on the brain, the acute stage of this disease, before deformity supervenes, is now registered. It is really inflammation of the brain in scrofulous children. Livergrown was applied to the swelling of the abdomen, the liver, and spleen, occurring in children after intermittents.* Rickets, a form of scrofula, is now exceedingly rare. Sydenham acutely remarks, that the true rickets rarely happen, except in those years when autumnal intermittents prevail: † livergrown and rickets, apparently confounded at first, disappeared from the bills with the reign of intermittent fevers. Croup and hooping-cough are increasing rapidly, if they were not formerly mixed up with convulsions, which took the place of the chrisomes, in expressing the undefined diseases of infancy. The common diseases of childhood are irritation of the mucous membranes, inflammation, and scrofula.‡ Tubercles are rare in the first year; between the fourth and the ninth year of age, M. Papavoine found tubercles in 70 per cent. of the children that

* Sydenham's Works, vol. i. p. 102–10.
† *Ibid.*, vol. i. p. 104.
‡ Traité des Maladies des Enfans. Par. C. Billard.

died in the Hôpital des Enfans Malades in Paris. They were, doubtless equally frequent in London.

Scarlet fever was at first confounded with measles; it was joined, in 1731, with fever, and only made a separate item in 1831. Griping, twisting of the guts, bloody flux, and plague in the guts, were the homely Saxon synonyms of dysentery. *Surfeit*, with respect to its symptoms, resembled *cholera morbus*, which, raging epidemically in August, was attributed by the vulgar to eating too much fruit. Stopping of the stomach is the iliac or cœliac passion, "which," says Sydenham, "deserves to be enumerated among the symptoms consequent upon fevers." Its great frequency (1629–79) was probably owing to contraction of the bowel after fever and dysentery. No commentator on the bills of mortality has been able to explain the great mortality attributed to *rising of the lights;* Sydenham, however, solves the question, in treating of this distemper under hysteria, which, as it simulates, was confounded in females with almost every other disease. Diseases of childbed, often accompanied with hysterical symptoms, were evidently reported under this title.*

The preceding table, founded on the deaths, only indicates the relative mortality produced by different classes of disease. The following table expresses the liability of the living to death by all the great classes of diseases during six periods of the last two centuries. The first and most difficult step here was to determine the absolute rate of mortality in the six periods. The population in the liberties of London, enumerated in 1631, was 130,178; the deaths in the liberties during the eight years, 1628–35, were 54,299, of which 1-24th were still-born: excluding these, the annual mortality was 5 per cent. This represents the mortality of years free from pestilence, but not the absolute mortality of the period, which, for the 24 years, 1620–43, was 7 per cent. Column A. shows, therefore, the fatality of diseases in years intercurrent between epidemic years. Column B. is an approximation to the mortality and diseases of London in the middle ages, although it includes 14 years subsequent to the great fire, and to the last epidemic.† The mortality of London in the 17th century did not

* Sydenham's Works, vol. ii. pp. 103–114.

† The enumeration of 1631 was published by Graunt, in the Appendix to his Observations, under the title "Anno 1631, ann. 7 Caroli I.: The Number of Men, Women, and Children, in the several Wards of London, and Liberties, taken in August, 1631, by special Command from the Right Honourable the Lords of his Majesty's Privy Council." The results agree remarkably with the later enumerations, three of which, 1801, 1811, and 1821, make the population of the liberties of London (97 parishes within, and 16 parishes without the walls,) 130,100, including a correction for seamen and strangers. Without correction, the population, in 1831, was 123,683. The enumeration of 1631 has, therefore, been made the basis of these calculations: as it is not probable the population, in the same space, ever exceeded 130,178. The deaths in the 97 + 16 parishes during 31 years, 1616–46, amounted to 279,964; which diminished $\frac{1}{17}$ for the still-born, and divided by the population (130,178) of the intermediate year, give 6·68 as the annual rate of mortality. The fire disturbed the observations in 1666, so that it was more difficult to obtain an approximation to the mortality in the 20 years, 1660–79: but the enumerated deaths in the 10 years, 1670–79, were 94,644; in the 5 years, 1660–4, 483,000; in 1665, the epidemic year, 56,558; whence 237,349 were deduced as the total deaths in the 20 years. Reduced $\frac{1}{17}$ for the still-born, the annual rate of mortality

differ very sensibly, before the French revolution, from the mortality in the current years, 1629–35: the mean expectation of life at birth, 1728–37, was calculated by Mr. Simpson to be 19·2 years; while in the 10 years, 1771–80, it was 19·6 by Dr. Price's 16th table. Nearly 5·2 and 5·1 deaths happened annually out of 100 persons living. The mortality of London in 1801–10 had considerably diminished, and was estimated by Mr. Milne to be 1-34·19 annually—2·92 per cent.* The annual deaths in the 18 years, 1813–30, are stated by Mr. Edmonds at 2·82 per cent.; and as the deaths reported in the bills, 1831–5, were 1-8th more than the deaths in the five years preceding, the mortality has been assumed to be 3·2 per cent. in this period, including an epidemic year.

III.—*Table showing the mean Annual Number of Deaths in London produced by* 20 *Classes of Disease out of* 100,000 *living.*

By	A. 1629—35.	B. 1660—79.	C. 1728—37.	D. 1771—80.	E. 1801—10.	F. 1831—5.
Chrisomes, overlaid, convulsions, worms, teething, mold-shot head, dropsy on the head, inflammation of brain, rickets, livergrown, canker, thrush, croup, hooping-cough	1,681	1,591	1,827	1,682	789	625
Small-pox	189	417	426	502	294	83
Measles	16	47	37	43	94	26
Scarlet fever	. .	. .	. .	. .	. .	53
Fever	636	785	785	621	264	111
Spotted	45	90	. .	. .	. .	. .
Plague	125	1,225	. .	. .	. .	. .
Dysentery	221	304	50	17	1	1
Surfeit or cholera	63	148	1	. .	. .	135
Inflammation	. .	. .	10	31	101	307
Pleurisy	14	6	10	5	4	20
Asthma and tisick	. .	. .	112	65	89	136
Consumption	1,021	1,255	905	1,121	716	567
King's evil, scrofula	14	19	5	5	. .	3
Dropsy	146	349	218	225	131	133
Apoplexy and suddenly	47	30	48	55	49	59
Palsy and lethargy	14	17	12	18	19	28
Old age, bedridden	370	388	415	324	241	357
Casualties	65	76	85	70	40	57
Childbed and miscarriages	80	100	43	47	32	43
Unknown causes	. .	. .	. .	. .	. .	88
Other diseases	253	565	211	144	146	269
Deaths in 100,000 living	5,000	8,000	5,200	5,000	2,920	3,200

REMARKS.

1. The diseases of London in the 16th century still prevail in unhealthy climates: not only the diseases and the manner of death have changed in this metropolis, but the frequency and fatality of the principal diseases have diminished.

2. The reported cases of *fever*, *plague*, *cholera*, and *dysentery*, constituted 4-10ths (·396) of the diseases: they destroyed annually, on an average, 31 per 1,000 of the inhabitants; five times as many as are now carried off by consumption.

3. *Fever*, *plague*, and *dysentery*, were most fatal to adults; but they of course carried off a considerable number of children. Convulsions, and other diseases of infancy, did not decline till the 18th century. The diseases of adults first diminished in violence; and as the state of

was 8·85 per cent.; but, to avoid the risk of exaggeration, the rate of this period, including the plague year, 1665, has been stated in the table at 8 per cent.

* Treatise on Annuities, &c., by Mr. Milne, vol. ii. p. 428.

the city and medical knowledge improved, the diseases of infants decreased.

4. *Small-pox* attained its maximum mortality after inoculation was introduced. The annual deaths of small-pox registered 1760–79, were 2,323; in the next 20 years, 1780–99 they declined to 1,740: this disease, therefore, began to grow less fatal before vaccination was discovered; indicating, together with the diminution of fever, the general improvement of health then taking place. In 1771–80, not less than 5 in 1,000 died annually of small-pox; in 1801–10 the mortality sank to 2; and in 1831–5 to 0·83.

5. *Measles* became gradually more general in the 18th century; but in 1801–1810, after vaccination was introduced, twice as many died of measles as had died of this exanthem in 1771–80. "If scarlet fever and measles, however, have somewhat increased in frequency, the mortality of the three diseases, small-pox, measles, scarlet fever, is only half as great (·0022) as the mortality formerly occasioned by small-pox alone (·005).

6. *Fever*, exclusively of the plague, has progressively subsided since 1771: *fever has declined nearly in the same ratio as small-pox.* In the three latter periods of the table the deaths from fever decreased as 621: 264 : 114; from small-pox as 502: 204 : 83.

7. *Cholera morbus* was as fatal in 1660–79 as in 1831–5: in 1831–5 out of 1,000, but 1·35 are stated to have died of cholera; in 1660–79, the deaths from this disease were 1·48.*

8. Other *inflammations* besides inflammation of the lungs unquestionably prevailed in London before 1704, when the word found its way into the bills; but its present comparative frequency is not entirely due to a change of nomenclature. Fevers were the reigning diseases, and an impure atmosphere communicated their character to the inflammations; which are still relatively less frequent where fever and dysentery prevail. In Corfu, 1815–21, out of 325 deaths among our troops, 12 were attributed to inflammations, besides 10 to hepatitis; while 223 were ascribed to fever, plague, and dysentery. Sydenham classes pleurisy, bastard pneumonia, rheumatism, erysipelas, and quinsey, together, under the title "intercurrent fevers:" after distinguishing the idiopathic from the symptomatic disease, he says, "I conceive pleurisy to be only a fever occasioned by a peculiar *inflammation of the blood*, whereby nature throws off the peccant matter upon the pleura, and sometimes upon the lungs, whence a pneumonia arises." Fever, then, involved in its vortex the comparatively rare inflammations; inflammation (a vague term), now happening more frequently in a pure form, and proved by *post mortem* examinations to prevail very extensively, has apparently recovered, not only its rightful

* Sydenham's Works, vol. i. pp. 218–433. "Cholera comes almost as constant at the close of summer, and towards the beginning of autumn, as swallows in the beginning of spring, and cuckows towards midsummer." He closes an accurate description by remarking, that it "often destroyed the patient in 24 hours." Dr. Craigie has demonstrated the antiquity and identity of cholera all over the world; before the last eruption, it had been epidemic in India. He cites a remarkable case from Morton. *Edinburgh Journal*, 1833.

possessions, but several of the unappropriated, unknown diseases, particularly of children.

9. *Consumption* was exceedingly fatal when fevers and dysentery reigned: it is now very fatal among the British troops in the West Indies. Its relative frequency increased down to 1810; in other words, fever and dysentery decreased more rapidly than consumption. The actual proportion of persons destroyed by this disease, as well as other forms of scrofula (rickets and evil), has, except in the anomalous period of 1771–80, progressively declined among the mass of the population in London. If asthma and tisick be added, the declension will be little less apparent.

10. *Dropsy* has been latterly proved to depend frequently on diseases of the heart and of the kidneys: its connexion with agues and dysentery, and with diseases of the liver and spleen, is confirmed by the table.

Fatal Diseases at different Ages.

The diseases proving fatal in childhood, manhood, and old age, are not the same: hence, to determine the peculiar diseases—the nature of the dangers—we have to encounter at different periods of life, becomes a most important problem.* Very few statistical observations exist, in which the deaths from each disease, at different ages, are enumerated. The observations of Dr. Heysham, at Carlisle, when he collected the facts on which the Carlisle table is formed; the diseases of which 4,095 persons, assured in the Equitable Office, died; the bills of mortality of the Anglo-American population in Philadelphia, —are, we believe, the only data of the kind yet (1837) published, either in Europe or America.*

Mr. Milne, in whose valuable work the Carlisle observations were published, justly remarks, that "the tables of Dr. Heysham had the advantage of being constructed by a skilful physician, capable of discriminating accurately between the different diseases; who either visited the patients himself, or had the means of procuring accurate reports from his medical friends." The arrangement of Cullen, which Dr. Heysham followed, is so artificial, as to render it very ill-suited to statistical purposes, where it is desirable to bring facts together, not only allied in one fugitive point, but in their fixed anatomical or general characters. The arrangement adopted in the following tables is two-fold: fatal diseases are (1) arranged according to the organs they affected, and (2) according to their pathological nature. The arrangement, we admit, is imperfect; but some arrangement was necessary, and this brings together many interesting features.

* In every case of death occurring in England or Wales, the sex, age, occupation, and disease are now registered, according to the provisions of the late Act for the Registration of Births and Deaths. The details of the measure admit of some improvements; when these are made, and the observations are reduced to tabular forms, they will exhibit the influence of the principal causes of sickness and death at every age, and in all the circumstances of the different localities, in the island. We have given some of the results already obtained at a subsequent page; and for further information refer the reader to the seven annual Reports of the Registrar-General.

I. *Table, which shows the Number of Deaths by each Disease, that took place in each of the under-mentioned Intervals of Age, at Carlisle, during* 8 *Years, commencing with* 1779, *and ending* 1787, *excepting* 1780.

Diseases arranged according to their Seat.	Ages. 0-5	5-10	10-15	15-20	20-30	30-40	40-50	50-60	60-70	70-80	80-90	90,&c	Total.
Brain.													
Dropsy of	2	2	1	..	..	..	..	..	..	..	..	..	5
Apoplexy	..	..	..	1	..	2	5	9	11	4	..	..	32
Palsy	..	..	..	..	..	..	1	5	4	3	1	..	14
Convulsions	10	..	..	..	..	..	..	..	..	..	..	..	10
Epilepsy	..	..	..	1	1	1	..	1	..	..	..	..	4
Insanity	..	..	..	..	..	1	..	..	..	1	..	..	2
	12	2	1	2	1	4	6	15	15	8	1	..	67
Lungs.													
Pleurisy	3	2	1	1	..	1	2	2	5	2	..	..	19
Consumption	34	15	10	15	45	34	31	15	15	..	..	..	214
Asthma	1	..	..	..	..	..	2	2	11	4	..	..	27
Chin-cough	18	1	0..	..	..	..	..	..	..	..	..	..	19
Influenza	..	..	..	..	..	..	..	..	1	..	..	..	1
	56	18	11	16	45	35	35	26	32	6	..	..	280
Blood.													
(1.) *Intestines.*													
Fever, inflammatory	3	..	..	..	1	..	..	1	..	..	..	..	5
—— nervous	2	3	1	4	3	9	15	13	7	2	..	..	59
—— putrid	5	4	1	2	8	5	8	4	5	1	..	..	43
—— jail	4	2	1	2	..	2	3	..	..	..	..	..	14
—— intermittent	..	..	..	..	..	..	..	1	..	..	..	..	1
—— infantile remittent	19	8	..	..	..	..	..	..	..	..	..	..	27
(2.) *Skin.*													
Scarlet fever, Sore throat 3	34	4	2	1	1	..	..	..	..	..	..	..	43
Measles	28	2	1	..	..	..	..	..	..	..	..	..	31
Small-pox	225	8	2	..	3	..	..	..	..	..	..	..	238
Aphthæ	63	2	..	..	..	..	..	..	..	..	..	..	65
Miliary fever	..	..	..	..	1	..	..	..	..	..	..	..	1
	383	33	8	9	17	16	26	19	12	3	..	..	526
Heart.													
Fainting	..	1	..	1	..	1	2	1	..	1	..	..	6
Organs of Digestion. *Mouth.*													
Teething	3	..	..	..	..	..	..	..	..	..	..	..	3
Stomach.													
Indigestion	..	..	..	..	..	1	6	5	8	1	..	..	21
Inflammation, Tumour 1	..	..	..	1	..	..	..	1	..	..	..	..	2
Intestines.													
Diarrhœa	7	1	1	1	..	..	2	2	1	2	..	..	18
Costiveness, Colic 1	1	..	..	..	1	..	..	..	..	..	..	..	3
Rupture	..	..	..	1	..	..	..	..	..	..	..	..	1
Liver.													
Jaundice	3	..	..	..	1	..	5	2	..	2	..	..	13
Abscess	..	..	..	..	..	..	1	..	..	..	..	..	1
	14	1	1	3	2	2	14	10	9	5	..	..	61
Urinary Organs.													
Diabetes	..	..	..	..	..	1	..	..	..	..	..	..	1
Stone and gravel	..	..	..	..	1	..	1	..	6	1	..	..	9
Suppression of urine	..	..	..	..	..	..	..	..	1	..	..	..	1
	..	..	..	..	1	1	1	..	7	1	..	..	11
Organs of Generation.													
Venereal disease	..	..	..	..	1	..	1	..	..	..	..	..	2
Uterus.													
Amenorrhœa	..	..	..	..	..	1	..	..	..	..	..	..	1
Menorrhagia lochialis	..	..	..	..	..	..	3	..	..	..	..	..	3
Difficult delivery	..	..	..	..	4	4	1	..	..	..	..	..	9
	..	..	..	..	5	5	5	..	..	..	..	..	15

SUMMARY.

Organs of generation	..	..	..	..	5	5	5	..	..	..	..	..	15
Urinary organs	..	..	..	..	1	1	1	..	7	1	..	..	11
Organs of digestion	14	1	1	3	2	2	14	10	9	5	..	..	61
Heart	..	1	..	..	1	2	1	..	1	..	..	..	6
Blood	383	33	8	9	17	16	26	19	12	3	..	..	526
Lungs	56	18	11	16	45	35	35	26	32	6	..	..	280
Brain and spinal marrow	12	2	1	2	1	4	6	15	15	8	1	..	67
*Diseases of different organs	466	52	21	30	72	65	88	70	76	23	1	..	966
*Of uncertain seat	243	20	9	8	7	16	20	24	76	111	88	27	649
Total	709	74	30	38	79	81	108	94	152	134	89	27	1615

* Mortifications 3, rheumatism 6, gout 4, weakness of infancy 204, decay of age 226, dropsy 42, scrofula 3, cancer 5, unknown diseases 115, accidens 29, green sickness 1, discharge of blood 1, ulcer 3=649. All these diseases, except the two last, are classified in Table II.

II. *Fatal Diseases observed in Carlisle, from* 1779 *to* 1787, *and registered by Dr. Heysham; arranged in Groups according to their Nature.*

Diseases.	Ages.								
	0-5	5-10	10-20	0-20	20-40	40-60	60-80	80-105	Total.
Living	1,096	967	1,481	3,544	2,396	1,540	669	74	8,177
Inflammations.									
Pleurisy and pneumonia	3	2	2	7	1	4	7	..	19
Inflammation of stomach	..	..	1	1	..	..	..	..	1
Diarrhœa	7	1	2	10	1	4	3	..	18
Abscess of the liver	..	..	..	..	..	1	..	..	1
Ulcer 3, and Mortification	..	..	..	..	..	2	3	1	6
Rheumatism	..	..	..	..	..	1	5	..	6
Gout	..	..	..	..	..	3	1	..	4
Fevers.									
Inflammatory (synocha)	3	..	..	3	1	1	..	..	5
Typhus { nervous 59									
Typhus { putrid 43	11	9	11	31	27	43	15	..	116
Typhus { jail 14									
Infantile remittent	19	3	..	27	..	1	..	..	28
Intermittent 1									
Scarlet fever	34	4	3	41	1	..	..	..	42
Sore throat 3									
Measles	28	2	1	31	..	..	..	..	31
Small-pox	225	8	2	235	3	..	..	..	238
Miliary fever	..	..	..	..	1	..	..	..	1
Aphthæ (thrush)	63	2	..	65	..	..	..	..	65
Serous Effusions.									
Anasarca and ascites	1	1	5	7	8	12	19	3	49
Hydrocephalus	2	2	1	5	..	..	..	..	5
Consumption and Scrofula 3	84	17	25	76	79	47	15	..	217
Cancer	..	..	..	..	..	2	4	..	6
Tumour of the stomach 1 scirrhus									
Stone and gravel	..	..	..	..	1	1	7	..	9
Fragility of Blood-vessels.									
Apoplexy	..	..	1	1	2	14	15	..	32
Palsy	..	..	..	..	..	6	7	1	14
Want of Vital Power.									
Weakness of infancy	204	..	..	204	..	..	..	..	204
Decay of age	..	..	..	..	..	..	116	110	216
External Violence.									
Accidents	7	5	6	18	7	3	1	..	29
Unknown diseases	32	11	5	48	10	18	38	1	115

SUMMARY.

Inflammations	10	3	5	18	2	11	13	1	45
Dropsies	3	3	6	12	3	12	19	3	54
Fevers	33	17	11	61	23	45	15	..	149
Exanthemata	350	16	6	372	5	..	..	..	377
Consumption and scrofula	34	17	25	76	79	47	15	..	217
Cancer	..	..	..	..	..	2	4	..	6
Stone and gravel	..	..	..	..	1	1	7	..	9
Gout and rheumatism	..	..	..	..	..	4	6	..	10
Apoplexy, palsy	..	..	1	1	2	20	22	1	46
Feeble vitality	204	..	..	204	..	..	116	110	430
Unknown diseases	32	11	5	48	10	18	38	1	115
Accidents	7	5	6	18	7	3	1	..	29
Classified diseases	673	72	65	810	142	163	256	116	1,487
Diseases not classified*	36	2	3	41	18	39	30	..	128
Total	709	74	68	851	160	202	286	116	1,615

* Convulsions 10, epilepsy 4, insanity 2, asthma 27, chin-cough 19, influenza 1, fainting 6, teething 3, indigestion 12, colic 1, costiveness 1, rupture 1, jaundice 13, venereal disease 2, amenorrhœa 1, difficult delivery 9, menorrhagia lochialis 3, diabetes 1, suppression of urine 1.—These will all be found in Table I.—Green sickness 1, age 15-20; and discharge of blood 1, age 40-50; are in neither.

The assurance offices obtain from the medical attendant a certificate of the disorder of which every person assured has died: the Tables III. and V. have been arranged from a recent publication of the Equitable Society, detailing the diseases fatal to 4,095 individuals during the 32 years, 1801–32.

III. *Table of* 4,095 *Fatal Diseases happening among Persons assured by the Equitable Society, arranged according to the Parts affected.*

Diseases.	Ages.								
	10-20	20-30	30-40	40-50	50-60	60-70	70-80	80, &c.	Total.
I. *Brain and Spinal Marrow.*									
Inflammation of the brain	1	4	15	16	13	12	2	1	64
Water on brain	..	..	1	3	4	1	..	..	9
Convulsion fits	..	..	..	4	1	3	..	..	8
Epilepsy	..	1	2	8	2	2	4	..	19
Suicide	..	1	2	6	15	5	..	..	29
Apoplexy	1	4	25	56	129	169	86	16	486
Palsy	..	1	5	15	47	84	74	9	235
	2	11	50	108	211	276	166	26	850
II. *Respiratory Organs.*									
Quinsey	..	..	..	1	1	1	..	..	3
Inflammation of the lungs	..	2	12	12	41	56	45	17	185
Inflammation of the chest	1	1	1	3	11	21	12	4	59
Pleuritis	..	..	..	1	1	2	..	..	4
Dropsy of the chest	..	1	3	23	52	59	42	3	183
Consumption	4	23	63	83	81	66	18	1	329
Asthma	..	..	..	2	20	26	22	4	74
	5	27	79	130	207	231	139	29	847
III. *Organs of Circulation.*									
Aneurism	..	..	1	2	..	..	1	..	4
Angina pectoris	..	..	8	16	45	47	26	3	145
Rupture of a blood-vessel	1	..	12	19	19	22	9	..	82
	1	..	21	37	64	69	36	3	231
IV. *Organs of Digestion.*									
Inflammation of bowels	2	2	14	20	26	44	16	2	126
Disease of stomach and digestive organs	..	2	9	12	28	31	22	2	106
Disease of liver	..	2	8	37	54	49	23	2	175
Dysentery	..	..	1	3	5	11	11	3	34
	2	6	32	72	113	135	72	9	441
Blood. V. *Skin and Intestinal Tube.*									
Cholera	..	..	2	5	5	9	5	1	27
Fevers	..	14	47	88	97	99	48	8	401
Small-pox	..	..	..	..	..	..	..	1	1
Erysipelas	..	1	2	7	6	7	3	..	26
	..	15	51	100	108	115	56	10	455
VI. *Genital and Urinary Organs.*									
Diabetes	..	..	..	3	2	1	1	1	8
Stone	..	..	..	..	1	2	7	2	12
Disease of the bladder and urinary passages	..	..	3	9	25	44	41	6	128
Childbirth	..	..	2	2	..	..	..	..	4
	..	..	5	14	28	47	49	9	152
VII. *Of uncertain Seat.*									
Gout	..	..	2	6	8	14	7	1	38
Mortification	..	..	..	2	12	14	12	6	46
Cancer	..	..	2	5	14	15	4	3	43
Atrophy	..	..	4	7	11	15	6	..	43
Decay (natural) and old age	..	..	..	..	10	128	241	187	566
Dropsy	1	..	10	39	67	83	50	7	257
	1	..	18	59	122	269	320	204	993
Disorders not properly defined	..	..	9	11	20	27	12	..	79
VIII. *External Violence.*									
Murdered	..	..	..	1	1	..	1	..	3
Slain in war	1	1	1	1	..	..	..	..	4
Accidents	..	7	..	11	9	4	5	4	40
	1	8	1	13	10	4	6	4	47

IV. *Table showing the Annual Proportion of Deaths out of* 10,000 *living, at all Ages, produced by Diseases of different Organs, in Carlisle.*

Organs affected.	0-20	20-40	40-60	60-80	80-105	0-105	20-105
Brain	6	3	17	43	17	10	14
Heart	0·3	2	1	2	..	1	1
Lungs	36	45	48	72	..	43	48
Organs of digestion	7	2	19	26	..	9	11
Organs of generation	..	6	4	..	..	2	4
Urinary organs	..	1	1	15	..	3	3
Blood { Skin	134	16	..	..	..	45	25
Blood { Intestines	22	3	35	28	..	36	
Diseases of uncertain seat	101	13	84	833	1,922	161	100
All diseases	306·3	91	159	539	1,939	250	206

V. *Table of* 4,095 *Fatal Diseases happening among Persons assured by the Equitable Society, arranged according to their Nature.*

Diseases.	10-20	20-30	30-40	40-50	50-60	60-70	70-80	80	At all Ages.
Inflammations.									
Inflammation of the bowels	2	2	14	20	26	44	16	2	126
lungs	..	2	12	12	41	56	45	17	185
brain	1	4	15	16	13	12	2	1	64
lungs and chest	1	1	1	8	11	21	12	4	59
Pleurisy	..	..	..	1	1	2	..	..	4
Mortification	..	..	..	2	12	14	12	6	46
Quinsey	..	..	..	1	1	1	..	..	3
	4	9	42	60	105	150	87	30	497
Fevers. †									
Fevers, general	..	5	30	55	61	70	34	7	262
bilious	..	1	5	10	10	8	2	1	37
nervous	..	3	3	13	9	9	5	..	42
inflammatory	..	3	2	6	10	5	6	..	32
putrid	..	2	7	4	7	7	1	..	28
Cholera	..	..	2	5	5	9	5	1	27
Dysentery	..	..	1	3	5	11	11	3	34
Small-pox	..	..	..	..	..	..	..	1	1
Erysipelas	..	1	2	7	6	7	3	..	26
	..	15	52	103	113	126	67	13	489
Serous Effusions.									
Dropsy	1	..	10	39	67	83	50	7	257
Dropsy on the chest	..	1	3	23	52	59	42	3	183
Water on the brain	..	..	1	3	4	1	..	..	9
	1	1	14	65	123	143	92	10	449
Consumption	4	23	63	83	81	66	18	1	339
Cancer	..	..	2	5	14	15	4	3	43
Stone	..	..	..	..	1	2	7	2	12
Gout	..	..	2	6	8	14	7	1	38
Fragility of the Vascular System.									
Aneurism	..	..	1	2	..	..	1	..	4
Rupture of a blood-vessel	1	..	12	19	19	22	9	..	82
Apoplexy	1	4	25	56	129	169	86	16	486
Palsy	..	1	5	15	47	84	74	9	235
	2	5	43	92	195	275	170	25	807

VI. *Equitable Society.—Deaths out of* 10,000 *constantly living, at Four Periods of Life; distributed in Groups of fatal Diseases,* (I.) *according to the Nature, and* (II.) *Seat.*

No. of Observations.		20-40	40-60	60-80	80-110	20-110
	I. *Diseases grouped according to their nature.*					
27	Exanthemata (small-pox 1, erysipelas 26)	1	1·4	3	7	1
401	Fevers	17	21	39	54	20
61	Cholera and dysentery	1	2	10	26	3
47	Mechanical injuries	2	3	3	26	2
487	Inflammations	14	18	63	198	25
449	Dropsies	4	21	62	66	22
339	Consumption	24	18	22	7	17
12	Stone	..	0·1	2	14	1
38	Gout	0·5	1·5	6	7	2
43	Cancer	0·5	2	5	21	2
807	Fragility of the vascular system, aneurism 4, rupture of blood-vessel 82, apoplexy, palsy	13	32	118	165	41
43	Atrophy	1	2	6	..	2
566	Feeble vitality (decay, natural, and old age)	..	1	98	1,230	28
79	Diseases not properly defined	2	4	10	..	4
696*	Diseases not classed	11	32	92	119	36
4,095		91	159	539	1,939	206
	II. *Diseases grouped according to their seat.*					
350	Brain	17	36	117	170	43
847	Organs of respiration	29	38	96	191	43
231	Organs of circulation	6	11	23	20	11·5
407	Organs of digestion	10	20	49	40	21
4	Organs of generation (child-birth)	0·5	0·2	..	..	0·2
148	Urinary organs	1	4	25	59	7
489	Blood { Skin	1	1·4	3	7	1
	{ Intestines	19	23	49	79	23
79	Not properly defined	2	3	10	..	4
993†	Of uncertain seat	5	20	157	1,346	50
47	External violence	2	3	3	26	2·5
4,095		91·5	159·6	539	1,939	206·2

* Convulsion fits 8, epilepsy 19, suicide 29, asthma 74, angina pectoris 145, disease of the stomach and digestive organs 106, disease of liver 175, diabetes 8, bladder and disease of, 128, childbirth 4=696. All these diseases are included in the section following.

† Gout 38, mortification 46, cancer 43, atrophy 43, decay natural 566, dropsy 257.

VII. *Table showing the Annual Deaths by* 10 *Classes of Disease, out of* 10,000 *living at each Age, deduced from Dr. Heysham's Observations.*

Diseases.	0–20	20–40	40–60	60–80	80–105	All Ages.	20–105
Eruptive Fevers*	134	16	..	..	..	45	1
Fevers	22	3	35	28	..	36	24
Accidents	7	4	2	2	..	4	3
Inflammations	7	1	9	25	17	7	7
Dropsies	4·5	5	9	36	50	8	11
Consumption	27	45	37	28	..	34	33
Cancer	..	..	2	7	..	1	2
Stone and Gravel	..	6	1	18	..	1	2
Gout	..	..	3	11	..	2	3
Apoplexy and Palsy	0·3	1	16	41	17	7	12
Feeble Vitality	78	..	..	219	1,833	67	61
Diseases unknown	17	6	14	72	17	18	18
Diseases not classed	15	10	31	57	..	20	24
	307·8	91	159	589	1,939	250	206

* Of the 134 deaths by eruptive fevers between the ages 0–20, 20–40, the deaths by small-pox were 84 and 1.

REMARKS.

1. Tables IV., VI., and VII., have been deduced from the four other tables; the absolute mortality was derived, in the same manner as the Carlisle table, from two enumerations of the living at different ages, and the deaths registered during 9 years (1779–1787) by Dr. Heysham; the deaths from each class of disease were ascertained by simple proportion. The rate of mortality amongst persons assured by the Equitable Society agrees nearly with that of Carlisle; so the same absolute mortality was applied to Table VI. as to Tables IV. and VII. The mortality of the class of persons from whom the assured were selected was certainly higher. The observations made in Philadelphia, to which we shall refer, were for the 2 years 1833-1835; the total deaths amounted to 10,106, and were published in annual bills by the Board of Health. The mortality in the 3 years, 1833–1835, was 2·4 per cent.; the deaths in 5 years out of 100 born, 31·3.

2. Of a thousand persons living at Carlisle, *fever* annually destroyed 3·6; *small-pox*, 2·8; the entire class of *eruptive fevers*, 4·5; fever and eruptive fevers, 8·1. The two groups constituted 32·4 per cent. of the fatal diseases; in Philadelphia they amount only to 14, in London to 10·7 per cent.

3. The *eruptive fevers* at Carlisle and at Philadelphia were most fatal under the age of 20; but this does not justify the current belief of medical men, that children are more susceptible of those diseases which affect the organisation only once than adults. Admit that of 100 children born, 50 have small-pox before the age of 10, 26 between the ages 10–20, 14 between 20–30. &c.; is it not evident in this case, that although the absolute number diminishes, the relative number attacked of those who have never had small-pox increases? One who has lived 30 years in the world without an attack of measles is, perhaps, protected by some idiosyncrasy; but *cæteris paribus*, is not a person aged 30 as liable to an attack of measles as a child? Would not small-pox, introduced into a country where it had never been before, attack persons of all ages indiscriminately?

4. Of 1615 deaths, Dr. Heysham ascribed only 20 to *inflammation*, and not one to an affection of the heart or large blood-vessels. This shows not so clearly that these diseases were uncommon, as that great

ignorance of morbid anatomy prevailed among the most accomplished physicians at the close of the last century. In Philadelphia 14·4, in London, 10·8 per cent. of the deaths are attributed to inflammation: after the age of 20 in the Equitable Society 12 per cent., in Philadelphia 14 per cent. of the fatal cases were inflammations.

5. *Consumption and Scrofula* at Carlisle and Philadelphia destroyed annually 3·4 per 1000 of the inhabitants; and 3·8 per 1000 of the persons aged 20 and upwards. One-seventh part of the deaths were, consequently, from consumption; and above the age of 20, one- fifth.

6. The violence of disease, Hippocrates somewhere says, is in proportion to the strength of the patient; and morbid anatomy proves that where there is great debility from age, or any other cause, inflammation runs through its course without manifesting distinctly its characteristic symptoms. The great number of deaths ascribed to natural decay, old age, and to weakness, are for this reason improperly considered examples of death without disease; although death sometimes does happen without any apparent organic cause.

7. What is the effect of the selection exercised by the assurance companies? What class of diseases does it exclude? In the first place, the eruptive fevers. Among 4095 deaths in the Equitable Society, only 1 was of small-pox. The deaths from consumption, instead of making 20, only amounted to 8·3 per cent. of the deaths, or 10·3 if those who died of ruptured blood-vessel be added. But by way of compensation, the deaths from dropsy are 22; from apoplexy and palsy 37 per 1000; instead of 11, 12, and 11, 10·6, the proportions dying of these two classes of disease in Carlisle and Philadelphia. The advantage to the assurance offices of applying tables founded on a city population in the last century, and *including all the sick*, to a class of persons in good health, and little liable to the eruptive fevers or consumption, is obvious. With some study, the selection of long-lived or short-lived persons may be carried to a still greater extent.

8. In proportion as a population becomes civilised, and as its physical condition and mental life are ameliorated, the deaths from apoplexy appear to increase; while the fevers and plagues of the state of barbarism decrease in a much more rapid ratio. The persons assured by the Equitable Society represent the more intellectual order of people in this country; apoplexy is frequent among them: the numerous dropsies and inflammations mark their gastronomic excesses; the mortality from fever and erysipelas proves that they dwell in ill-ventilated houses, and crowded cities, with bad sewers.

9. Life, divided into 5 vicennial periods, is most secure in the second; the fatality of nearly all diseases increases afterwards in a geometrical progression. The observations in Philadelphia show that consumption is not an exception to this law.

10. One of the most important results presented in this paper is, that the character of diseases changes in a determined ratio at different periods of existence. The tables indicate not only the degree, but the kind of danger, we have to encounter at all ages: for example, in the second vicennial period (20–40), the deaths from consumption at Carlisle constituted 50, at Philadelphia 34, in the Equitable Society

26 per cent. of the deaths from all causes;* in the third vicennium the nature of the danger has altered, for the deaths from consumption contribute but 23–28, or 11 per cent. to the entire mortality. From tables of this description, the probability of death from each class of diseases can be calculated at all ages. We will add one instance of their practical application. In the first period of life (0–20) the eruptive fevers, inflammations, scrofulous and dropsical effusions, are most to be dreaded; in Philadelphia two-fifths of the deaths were from affections of the brain and bowels. Who, with these facts before him, can fail to see the impropriety of giving children preparations of laudanum, spirits, or any food at first but the mother's bland milk? Cold often produces inflammation of the lungs in winter; but too much tenderness in this respect, and the accustoming of boys to a delicate diet, weaken the constitution. Between 20 and 40, *consumption*, inflammations, fevers, and epidemics, are the most deadly shafts of death, which, as Sir James Clark has shown, a judicious course of hygiene in this period may do much to disarm. The same class of diseases maintains the preponderance till 60; but, in the period following (60–80) *dropsies* and inflammations increase, while apoplexy gains a great ascendancy. After 65 a man should undertake nothing requiring great intellectual exertion, or sustained energy: warmth, temperance, tranquillity, may prolong his years to the close of a century; a rude breath of the atmosphere, a violent struggle, or a shock, will terminate his existence. The apoplexy of the aged can, with care, be averted for several years; but it is, perhaps, the natural death, the enthanasia of the intellectual: their blood remains pure, the solids firm to the last, when a fragile artery gives way within the head,—the blood escapes, and by a gentle pressure dissolves sensibility at its source for ever. The life is no longer there,—the corporeal elements are given back to the universe!

The diseases incidental to *different periods of life in London* are shown in tables, deduced from returns of the causes of 45,070 deaths for the year 1842, and the census of 1841. The tables, (which will be found in the Registrar-General's Fifth Report,) are the most extensive hitherto framed. The classification by the author of this article, adopted in the Registrar-General's Report, is found to be well suited to statistical purposes.†

Diseases fatal to Children under 5 years of age.—The first class of zymotic diseases (so designated from the analogy between the laws which regulate their propagation and fermentation) comprising small pox, measles, scarlatina, hooping cough, &c., is most fatal to children under 5 years of age. Of 100,000 children born alive 9,112 die of this class of diseases within the first 5 years of life. In the third class of head diseases, inflammation of the brain and water on the brain (cephalitis and hydrocephalus) are fatal to 3,242, convulsions to 4,631 children; inflammations of the lungs (bronchitis, pleurisy, pneu-

* Sir James Clark had this period, probably, in view when he estimated the proportion of deaths from tuberculous diseases, after excluding the deaths in infancy, at a third part of the total mortality in this country.

† See the Statistical Nosology in the Registrar-General's Seventh Report.

monia,) destroy 5,348; consumption 1,887; mesenteric disease 439; teething 1,554; inflammation of the stomach and bowels (gastritis enteritis,) 863; violent deaths 338. The total deaths under 5 years out of 100,000 born alive, are 31,671; of which the above diseases constitute the greater proportion.

Diseases fatal to Young Persons between the ages 5 *and* 20.—These are scarlatina, typhus, hooping-cough, measles, small-pox, dropsy, scrofula, and diseases of joints, cephalitis and hydrocephalus, inflammation of the lungs (bronchitis, pleurisy, pneumonia), heart disease, inflammation of stomach and bowels, and violent deaths. This is the stage of life in which the mortality is lowest.

Diseases fatal between the ages of 20 *and* 40.—Of 30,878 males and 30,806 females, out of 100,000 born, attaining the age of twenty, 6,435 men and 5,397 women die in the next 20 years; namely, 2,936 men and 2,396 women of consumption; 443 women of child-birth; 411 men and 125 women of violent deaths; 355 men and 187 women of pneumonia, bronchitis, and pleurisy; 324 men and 249 women of typhus; 250 men and 168 women of heart disease; 238 men and 276 women of dropsy, generally connected with disease of the heart or kidneys; 187 men and 103 women of sudden deaths in which inquests were held; 92 men and 75 women of apoplexy; 74 men and 54 women of paralysis; 32 men and 68 women of cancer; 1,536 men and 1,253 women of all other diseases.

Fatal Diseases between the ages of 40 *and* 60.—The mortality increases considerably in this period; for of 24,443 men and 25,409 women who attain the age of *forty*, 10,904 men and 9,109 women never see the age of *sixty;* 2,932 men and 1,928 women dying of consumption; 816 men and 568 women of inflammation of the lungs; 735 men and 503 women of asthma; 687 men and 1,127 women of dropsy; 559 men and 188 women of violent deaths; 462 men and 426 women of heart diseases; 437 men and 384 women of apoplexy; 386 men and 248 women of sudden deaths; 384 men and 283 women of paralysis; 300 men and 245 women of typhus; 102 men and 486 women of cancer; 88 women of child-birth. The danger of dying of consumption, contrary to the common opinion, is greater in this than in the preceding vicennium. The chance that a man will die of consumption in the next 20 years is $\frac{2}{3}\frac{9}{0}\frac{3}{8}\frac{6}{7}$ or 2,936 to 27,942 at the age of 20, and $\frac{2}{3}\frac{9}{3}\frac{3}{4}\frac{2}{4}\frac{3}{3}$ or 2,932 to 19,511 at the age of 40. The relative danger of dying of any other disease is expressed in the same way. Asthma and inflammation of the chest, heart disease, dropsy, apoplexy, and paralysis, it will be observed prevail in this period; after the age of 60 they grow more fatal, and are the causes which most commonly lead to dissolution.

Fatal Diseases between the ages of 60 *and* 80.—Of 13,539 men and 16,300 women who live to the age of *sixty*; 11,760 men and 13,577 women die in the following twenty years; namely, 994 men and 924 women of asthma; 833 men and 804 women of bronchitis, pneumonia, and pleurisy; 721 men and 1,231 women of dropsy; 664 men and 571 women of consumption; 662 men and 738 women of paralysis; 573 men and 586 women of apoplexy; 465 men and 458 women of heart

disease; 393 men and 271 women of sudden deaths; 270 men and 177 women of violent deaths; 188 men and 268 women of typhus; 96 men and 372 women of cancer.

Suggestions as to the Means of promoting Public Health in Great Britain.

1. If governments can do little by *direct* enactments for the diminution of sickness, it is, nevertheless, their duty to determine, by statistical enumerations, the actual state of health, and the extent to which it is deteriorated in different circumstances. Returns of the diseases and deaths in the army, the navy, and all bodies of men employed in the public service, should be made annually; and this, with the results of the general registration, would improve public health, by showing so distinctly the connection between diseases and their natural causes, that men would either avoid or obviate the evils destructive of health by some invention.

2. Almost all classes of the people of this country are profoundly ignorant of the physiological laws which regulate their own existence; health may consequently be improved by making a knowledge of the nature of the human organisation, and of the external agents by which it is influenced, an elementary part of national education. The physical sciences are not, as Count Rumford maintained, the sole sources of human improvement; but without their aid no solid advances can be made in civilisation. For this reason, the works and inventions of Rumford and Arnott will contribute more to the progress of society than many treatises written *ex professo* on the subject.

3. It has been shown, that external agents have as great an influence on the frequency of sickness as on its fatality; the obvious corollary is, that man has as much power to prevent as to cure disease. That prevention is better than cure, is a proverb; that it is as easy, the facts we have advanced establish. Yet medical men, the guardians of public health, never have their attention called to the prevention of sickness, it forms no part of their education. To promote health is apparently contrary to their interests: the public do not seek the shield of medical art against disease, nor call the surgeon, till the arrows of death already rankle in the veins. This may be corrected by modifying the present system of medical education, and the manner of remunerating medical men.

4. Public health may be promoted by placing the medical institutions of the country on a liberal scientific basis; by the medical societies co-operating to collect statistical observations; and by medical writers renouncing the notion that a science can be founded upon the limited experience of an individual. Practical medicine cannot be taught by books; the science of medicine cannot be acquired in the sick-room. The healing art may likewise be promoted by encouraging post-mortem examinations of diseased parts; without which it is impossible to keep up in the body of the medical profession a clear knowledge of the internal changes indicated by symptoms during life. The practitioner who never opens a dead body must commit innumerable, and sometimes fatal errors.

5. It has been proved that, in the present state of things, the mortality is greatly augmented wherever large masses of the people are brought together: it will be the duty of the government, the municipal corporations, and all classes of citizens, to render the towns of this country, and every establishment where large numbers are collected together, perfectly adapted to the wants of the human organisation, and compatible with the full enjoyment of health.

CHAPTER V.—Provision for the Poor.

Sect. 1. *Policy of Poor Laws.**

How prosperous soever the condition of the bulk of the inhabitants, still it is found, even in the most favoured countries, that poverty and destitution are the lot of a considerable number of persons; and the questions whether, and, if at all, to what extent, the public should interfere to relieve those in this unfortunate condition, are among the most important that the Legislature has to resolve.

The poor and destitute may be divided into two great classes: the first comprising maimed and impotent persons, or those whom natural or accidental infirmities disable from working; and the second those who, though able and willing to work, are unable to find employment, or do not receive wages adequate for their support and that of their families. There is a wide difference between these classes; and the same means of relief that may be advantageously afforded to the one, may not, in various respects, be suited to the other.

I. With respect to the first class, or the impotent poor, there does not seem to be much room for doubt in regard to the policy, as well as humanity, of giving them a legal claim to relief. It has sometimes, indeed, been contended, that by affording relief to those who are unable, from age or the gradual decay of their bodily powers, to provide for themselves, the motives that induce individuals while in health to make a provision against future contingencies, are weakened; so that, in attempting to protect a few from the effects of their own improvidence, an injury is done to the whole community. This statement is, probably, true to a certain extent; though it is difficult to imagine that any considerable portion of a moderately intelligent population will ever be tempted to relax in their efforts to save and accumulate, when they have the means, from a knowledge that the workhouse will receive them in old age.† But whatever may have been the faults of individuals, it would be abhorrent to all the feelings of humanity to allow them to suffer the extremity of want. An individual is unfortunate, perhaps, or he may not have been as thrifty or as prudent as he ought; but is he, therefore, to be allowed to die in the streets? It is proper, speaking generally, to do nothing to weaken the spirit of industry; but

* The following remarks on the policy of poor laws, and on the early operation of the English poor laws, are borrowed from the third edition of the *Principles of Political Economy*, by the author of this work.

† Mr. Howlett has some forcible observations on this point in his Tract on the Poor Laws, p. 6.

if, in order to strengthen it, all relief were refused to the maimed and impotent poor, the habits and feelings of the people would be degraded and brutalized by familiarity with the most abject wretchedness; at the same time that, by driving the victims of poverty to despair, a foundation would be laid for the most dreadful crimes, and such a shock given to the security of property as would very much overbalance whatever additional spur the refusal of support might give to industry and economy. It does, therefore, appear sufficiently clear, that this class of poor should be supported in one way or other; and that, when the parties are without relatives or friends, or when these do not come voluntarily forward to discharge this indispensable duty, the necessary funds should be provided by a tax or rate, made equally to affect all classes; for if they are not so raised, the poor will either not be provided for at all, or the burden of their support will fall wholly on the benevolent, who should not, in such a case, be called upon to contribute more than their fair share.

II. The only question, then, about which there seems to be any real ground for doubt or difference of opinion is, whether any legal claim for relief should be given to the able-bodied poor, or to those who, though able and ready to work, cannot find employment, or cannot earn wages adequate for their support? Now this, it must be confessed, is, abstractly considered, rather a difficult question, and does not, perhaps, admit of any satisfactory solution. But whatever theoretical objections may be alleged against a provision for the able-bodied poor, the necessity of the case not unfrequently overwhelms every other consideration, and compels its institution. This necessity may not probably be felt, and is always comparatively gentle in agricultural countries, like Austria, Prussia, or Russia; but it seldom fails frequently to manifest itself in its sternest form in countries far advanced in manufactures and commerce: a compulsory provision for the able-bodied poor may, indeed, be regarded as an essential part of their domestic economy. In the first place, it may be observed, that owing to changes of fashion, to sudden variations in the quantity and value of money, to the miscalculation of producers and merchants, and to political events, those engaged in most manufacturing employments are necessarily exposed to many vicissitudes. And when their number is so very great as in this country, it is quite indispensable that a resource should be provided for their support in periods of adversity. In the event of no such provision being made, and of the distress being at the same time extensive and severe, the public tranquillity would most likely be seriously endangered. It would be visionary indeed to imagine, that those who have nothing should quietly submit to suffer the extremity of want without attacking the property of others. And hence, if we would preserve unimpaired the peace, and consequently the prosperity of the country, we must beware of allowing any considerable portion of the population to fall into a state of destitution. But without the establishment of a compulsory provision for the support of the unemployed poor, it is difficult to see how they could avoid occasionally falling into this state. Through its instrumentality, however, they are sustained in periods of adversity, without being driven by necessity to attack the property of others, and to commit outrages. It is, no doubt,

true that a provision of this sort is liable to abuse. Means may, however, be devised for checking this tendency; and whatever imperfections may, after all, attach to it, it has not yet been shown how security and good order could be maintained in periods when either employment or food was deficient, were it abolished.

In the second place, supposing it were possible (which it is not) to maintain tranquillity without making a legal provision for the support of the unemployed poor, the privations to which, under such circumstances, they would be forced to submit, would, in all probability, lower their notions of what is necessary for their comfortable subsistence, and exert a most pernicious influence over their conduct and character. It can hardly be necessary to enter into any statements to show the importance of endeavouring to maintain the standard of comfort, and consequently of necessary wages among the labouring classes, at as high an elevation as possible. The observations of Mr. Barton on this point are, however, so striking and conclusive, that we shall take leave to lay them before the reader. "It is to be remembered," says he, "that even those who most strongly assert the impolicy and injurious tendency of our Poor Laws, admit that causes wholly unconnected with these laws do, at times, depress the condition of the labourer. Poor families are often thrown into a state of severe necessity by long-continued illness or unavoidable misfortunes, from which it would be impossible for them to return to the enjoyment of decent competence, if not supported by extraneous means. It is well known, too, that a general rise in the price of commodities is seldom immediately followed by a rise in the wages of country labour. In the mean time great suffering must be endured by the whole class of peasantry, if no legislative provision existed for their relief; and when such a rise of prices goes on gradually increasing for a series of years, as sometimes happens, the suffering resulting from it must be proportionally prolonged. The question at issue is simply this: whether that suffering be calculated to cherish habits of sober and self-denying prudence, or to generate a spirit of careless desperation?

"During these periods of extraordinary privation, the labourer, if not effectually relieved, would imperceptibly lose that taste for order, decency, and cleanliness, which had been gradually formed and accumulated in better times, by the insensible operation of habit and example. And no strength of argument, no force of authority, could again instil into the minds of a new generation, growing up under more prosperous circumstances, the sentiments and tastes thus blighted and destroyed by the cold breath of penury. Every return of temporary distress would, therefore, vitiate the feelings and lower the sensibilities of the labouring classes. The little progress of improvement made in happier times would be lost and forgotten. If we ward off a few of the bitterest blasts of calamity, the sacred flame may be kept alive till the tempest be past; but if once extinguished, how hard is the task of rekindling it in minds long inured to degradation and wretchedness!"*

In the third place it will, we suppose, be admitted, that when a considerable number of destitute poor persons are thrown out of employment, a provision of some sort or other should, or rather must, be

* Inquiry into the Causes of the Depreciation of Agricultural Labour, p. 32.

made for their support. Suppose now, that it is made not by a compulsory rate, but by the voluntary contributions of the benevolent: it is contended that such a mode of relieving their distress tends to nourish the better feelings of the poor, and that many would rather submit to the greatest privations than solicit a share of these contributions, who yet would make no scruple of claiming relief had the State legalized their right to support. But admitting the truth of this statement, it has been already seen that it is not for the advantage of society that the poor should be forced to submit to such extraordinary privations. It is, besides, abundantly certain, that many would not be influenced by the motives alluded to; and in the event of the distress being either very severe or long continued, those most disinclined to become a burden on others might be forced, if they did not resort to outrage, to beg a pittance. And it is pretty obvious, notwithstanding all that has been said to the contrary, that the necessary result of such a state of things would be far more prejudicial to the character of the poor; that it would do more to prostrate their pride and independence, and to sink them in their own estimation, than the acceptance of relief from a poor's rate. It is idle, indeed, to talk about the independence of a man who is receiving charity; but an individual supported by the poor's rate cannot fairly be regarded in such point of view. He is merely sharing in a public provision made by the State; and as all property has been acquired with the knowledge that it was responsible to this claim on the part of the poor, it cannot justly be considered as entailing any burden on any particular individual. It may, therefore, one should think, be fairly presumed, that the decent pride and independence of the poor will be more likely to be supported under a system of this sort, than if they were obliged to depend, in periods of distress, on the bounty of others. Wherever the poor have not, either *de jure* or *de facto* a claim for support, they must, unavoidably, in such periods be allowed to beg. But of the scourges that afflict and disgrace humanity, there is, perhaps, none more destructive than the prevalence of mendicity. A common beggar is the most degraded of beings; and the experience of Ireland, France, Italy, Spain, and, in short, of every country where there is no established provision for the support of the poor, shows that wherever they are compelled to depend on so precarious a resource as charity, we look in vain for that manliness and independence of character which distinguish the poor of England, and find in their stead all those degrading vices which beggary is sure to produce.

But whatever may be the disadvantages incident to charitable contributions for the support of the able-bodied poor, it is contended, by some who admit them fully, that they are the only device that can be resorted to without leading to still more destructive consequences than any previously pointed out. A regard for their own interest, were there no other motives to be depended upon, will, it is affirmed, teach those who possess property the advantage of providing for the wants of those who are really necessitous, and will consequently prevent those outrages to which allusion has been made. This contribution will, however, cease with the necessity which gave it birth. When the pressure has passed away, it will not remain to tempt the idle and dissipated to linger on in their vicious courses. It is alleged that the

labouring class would, under such circumstances, feel that they had nothing real to depend upon but their own efforts; and no one would hesitate about saving a little stock when in his power, by trusting to so precarious and humiliating a resource as that of mendicancy. But such, we are assured, is not the case with an established compulsory provision; and granting all that has been urged in its defence, it is contended, that the evils inseparable from it outweigh its advantages. It is acknowledged by all parties to be in most cases quite impossible to discriminate between poverty and misery produced by accidental and uncontrollable causes, and that which has originated in folly or ill conduct. And yet it is said to be obvious, that unless this be done, the establishment of a provision on which every pauper has a legal claim, must, by placing the industrious and the idle, the frugal and the dissipated, on the same footing, have a powerful tendency to weaken the motives to good conduct in the virtuous part of the community, and to strengthen the vicious propensities in those that are bad.

Supposing, however, that it were possible to organize such a system as should prevent all poor persons, except those that were really deserving, from being admitted to participate in the parish funds, still its operation would, it is affirmed, be most objectionable. No man, it must be remembered, loves exertion and industry for their own sakes. Every one has some end or object in view, the accomplishment of which is to repay the toils and privations to which he submits in bringing it about. But the desire to provide subsistence, and to amass a little capital, for the support of age and infirmity, are the principal motives that impel the great body of mankind to industry and economy; and whatever tends, like the establishment of a poor's rate, to weaken or rather to destroy these motives,—whatever tends to make a man trust to others instead of himself, must, in so far, paralyze his exertions, and render him less industrious and economical. "*Languescet industria, intendetur socordia, si nullus ex se metus aut spes, et securi omnes aliena subsidiâ expectabunt, sibi ignavi, nobis graves.*"*

But, though apparently formidable, it will be found, on a little examination, that the objections to a compulsory provision for the support of the able-bodied poor are not really entitled to much weight. And though they were, no one acquainted, in any degree, with the perilous situation in which a large portion of the population of England is placed, can doubt that such provision is here, at least, altogether indispensable. Without it the peace of society could not be preserved for any considerable period; and those who have property would, every now and then, have to defend it, at the point of the sword, against the attacks of myriads of paupers, impelled by necessity, and made desperate by despair. Under such circumstances, it is fortunate that the inconveniences supposed to be inherent in the principle of compulsory provision may be obviated by regulations as to its management, and that its advantages may be secured without any material alloy.

A statutory provision has been established in this country for above 240 years, for all who cannot support themselves; and we are bound to avail ourselves of this experience, and to decide with respect to its

* Tacit. *Annal.* lib. ii. cap. 38.

effects, not upon theoretical grounds, or conclusions drawn from imagining what the conduct of the labouring class must be when they have a recognised claim to public support in seasons of difficulty, but by looking to what that conduct really has been during this long period of probation. It is affirmed, and truly, that there was no considerable increase of pauper population in England from the period when the poor laws were established down to the middle of last century; and it is alleged, that its recent increase has been wholly owing to the prodigious extension of manufactures and commerce, and has not exceeded its increase in Scotland, where the system of compulsory provision has made very little progress. It is farther affirmed, that it is false to say that the labouring population of England have, at any time, discovered a want of forethought and consideration; that they were formerly eminently distinguished for these virtues; and that, notwithstanding the unfavourable change made in their condition, by the rise of prices, and the revulsions of industry, during the last half century, they will still bear an advantageous comparison, in these respects, with the people of any other country: and, in proof of this, we are referred to returns obtained under authority of the House of Commons, which show that in 1815 there were no fewer than 925,439 individuals in England and Wales, being about one-eleventh part of the then existing population, members of friendly societies, formed for the express purpose of affording protection to the members during sickness and old age, and enabling them to subsist without resorting to the parish funds, and that the deposits in the savings' banks amount at present (1846) to above thirty millions sterling! It is alleged, that no such unquestionable proofs of the prevalence of a spirit of providence and independence can be exhibited in any other European country. If the poor have, in some districts, become degraded, it is affirmed, that this has not been owing to the poor laws, but to extrinsic and adventitious causes; and, in particular, to the excessive influx of paupers from Ireland, a country where, till very recently, there were no poor laws; and the condition of the population of which affords, it is said, a decisive proof of the fallacy of all the complaints that have been made of their injurious operation. Independently, too, of these considerations, the circumstance of a legal provision existing for their support, by giving the poor an interest in the state, or, as it has been termed, a *stake in the hedge*, interests them in the preservation of the public tranquillity, and inspires them with an attachment to their country and its institutions, which they could not otherwise feel. In densely-peopled manufacturing districts, where the poor have nothing but their wages to depend upon, and where hardly one in a hundred can reasonably hope to attain to a more elevated situation, the poor laws are their only security against falling a sacrifice to absolute want. They are, in fact, a bulwark raised by the State to protect its subjects from famine and despair; and while they support them in seasons of calamity, and prevent them from being driven to excesses ruinous alike to themselves and others, they do not degrade them by making them depend on what is often the grudging and stunted charity of others. A wise statesman will pause before attempting to pull down so venerable and so useful an institution; and will prefer exerting himself to repair the defects

that have been discovered in its structure, and to make it effectual to its truly benevolent object of affording an asylum to the really necessitous, without at the same time becoming an incentive to sloth and improvidence.

Such, in a few words, is the substance of the statements that have been, or may be, put forth by the apologists of the poor laws; and it is impossible to deny that they are well founded. From the period (1601) when the Act of the 43d of Elizabeth, the foundation of the existing code of poor laws, was promulgated, to the commencement of the late war, there was scarcely any increase of pauperism; and few or none of those pernicious consequences had actually resulted from their operation which we might suppose, looking only to some of the principles they involve, they must necessarily produce. This apparent anomaly may, however, be satisfactorily explained. A compulsory provision for the support of the poor would, undoubtedly, have the effects commonly ascribed to it, were it not accompanied by some very powerful counteracting checks. But a very little consideration will show that the establishment of such provision could hardly, unless some formidable barrier be thrown in the way, fail of speedily producing these checks. The error into which the opponents of the poor laws have universally fallen, does not consist so much in their having made any false estimate of their operation on the labouring classes, as in having fixed their attention exclusively on it, without adverting to their operation upon others. It is plain, however, that the rates affect the payers as well as the receivers; and that no sound conclusion can be drawn, in regard to their real operation, without looking carefully at the circumstances under which both parties are placed, and at the conduct which they respectively follow.* If the object of the one party be, speaking generally, to increase the rates to the highest limit, that of the other is to sink them to the lowest; and it not unfrequently happens that the latter are the more powerful of the two. The Act of the 43d of Elizabeth laid the burden of providing for the poor on the landlords and tenants of the country; but (unlike the new poor law) it wisely left them to administer that relief in the way they thought best, and it stimulated them to take measures to prevent the growth of a pauper population, which have not only prevented it from increasing in an unnatural proportion, but which, there are good grounds for thinking, have confined it within decidedly narrower limits than it would have attained had the poor laws not been in existence.

The truth is, the Act of the 43d of Elizabeth has not been *bonâ fide* carried into execution. The Act says, that employment and subsistence shall be found for all who are unable to find them for themselves. But those who have had the interpretation of the Act were long in the habit, when they suspected fraud and imposture, of tendering relief in public workhouses; and there are very many needy persons who would be eager to claim assistance from the public, if it could be obtained without any extraordinary sacrifice, who would yet reject it when coupled with the condition of submitting to imprisonment, and to the regulations and labour enforced in every well-conducted workhouse.

* Public attention was, we believe, first directed to this view of the subject by Mr. Black, the late learned and able editor of the *Morning Chronicle*.

In 1723 the workhouse system was placed on a greatly improved footing by the Act 9 Geo. I., cap. 7, which authorized parishes to unite for building workhouses, and also gave them power, if they saw cause, to refuse relief except in a workhouse. This Act formed, during the next half century, a principal bulwark against the progress of pauperism. It is stated by Sir F. M. Eden, that when workhouses began to be generally erected, after the above-mentioned Act, great numbers of persons, who had previously received a pension from the parish, preferred depending on their own exertions, rather than take up their abode in them: and the aversion of the poor to these establishments was so great, that we are told, by the same excellent authority, of some, whose humanity seems to have exceeded their good sense, proposing, by way of weakening this aversion, "to call workhouses by some softer and more inoffensive" name.*

But of all the circumstances which have contributed to render the growth of pauperism in England so much slower than might have been expected, the most powerful, perhaps, has been, that the system of compulsory provision made it the obvious interest of the landlords and occupiers of land to oppose themselves to the too rapid increase of the labouring population. They saw that if, by the erection of cottages, the splitting of farms, or otherwise, the population upon their estates or occupancies was augmented, they would, through the operation of the poor laws, be burdened with the support of all who, from old age, sickness, want of employment, or other cause, might become, at any future period, unable to provide for themselves. The wish to avoid incurring such an indefinite responsibility, not only rendered landlords and farmers exceedingly cautious about admitting new settlers upon their estates and farms, but stimulated them to take vigorous measures for diminishing the population, wherever the demand for labour was not pretty brisk and constant. It is to the operation of this principle that the complicated system of laws with respect to settlements owed its origin; and until relaxed, it opposed a formidable barrier to the increase of population. There is, indeed, great reason to doubt whether the rural population of England was not rather diminished than increased in the interval between the Revolution and 1770. And it is to the operation of the poor-laws, more, perhaps, than to anything else, that we find so few small occupancies in England; and that she has been saved from that excessive subdivision of the land that is the curse of Ireland. Considering, indeed, the high rents that cottagers will offer for slips of land, and the circumstance that the law of England, by granting the elective franchise to all persons possessed of a cottage and a piece of land valued at 40*s.* a-year, gives a very strong stimulus to the increase of cottages, we must be satisfied that it required some powerful countervailing principle to render their multiplication so inconsiderable. Political influence is as dear to an English as to an Irish gentleman; but the former, had he manufactured voters by the hundred or the thousand, would have made himself directly responsible for their maintenance; and he has been, consequently, determined by a motive which had no influence over the latter to abstain from so ruinous a practice. Most landlords early saw

* State of the Poor, vol. i. p. 285.

the consequences that would infallibly result, unless they adopted the necessary precautions, from their being bound to provide for those who, through misfortune, misconduct, or profligacy, could not provide for themselves; and since they could not subvert the principle of the compulsory system, they exerted themselves to prevent its abuse, by adopting every possible device for checking the undue increase of population, and by administering relief in such a mode as might hinder any but the really indigent from having recourse to it.

The truth is, that down to 1795 the universal complaint was, not that the poor-laws had increased population and lowered wages, but that they had diminished it and raised wages. A host of authorities, some of which are referred to below,* might be quoted in proof of this statement, and explanatory of the means by which so singular a result was brought about; but the following passage from Young's "Farmer's Letters," will probably be deemed sufficient.

"The law of settlement," says Young, "is attended with nearly as many ill consequences as that of maintenance. I have said enough to prove of how great importance our labouring poor are to the public welfare; the strength of the state lies in their numbers, but the prodigious restrictions thrown on their settlements, tend strongly to prevent an increase. One great inducement to marriage is the finding, without difficulty, a comfortable habitation; and another, nearly as material, when such requisite is found, to be able to exercise in it whatever business a man has been educated to or brought up in. The first of these points is no easy matter to be accomplished; for it is too much the interest of a parish, both landlords and tenants, to decrease the cottages in it, and, above all, to prevent their increase, so that in process of time habitations are extremely difficult to be procured. There is no parish but had much rather that its young labourers would continue single; in that state they are not in danger of becoming chargeable, but when married the case alters; all obstructions are, therefore, thrown in the way of their marrying; and none more immediately than that of rendering it as difficult as possible for the men, when married, to procure a house to live in; and this conduct is found so conducive to easing the rates, that it universally gives rise to an open war against cottages. How often do gentlemen who have possessions in a parish when cottages come to sale purchase them, and immediately raze them to the foundation, that they may never become the nests, as they are called, of beggars' brats! by which means their tenants are not so burdened in their rates, and their farms let better; for the rates are considered as much by tenants as the rent. In this manner cottages are the perpetual objects of jealousy, the young inhabitants are prevented from marrying, and population is obstructed." †

It may, perhaps, be said, that had the poor-laws never existed; had the poor not been tempted to place a deceitful trust in parish assistance;

* Britannia Languens, or a Discourse of Trade, &c., p. 155, Lond. 1680; Alcock's Observations on the Effects of the Poor Laws, pp. 19, 20, Lond. 1752; Burn's History of the Poor Laws, p. 211, Lond. 1764; Arthur Young's Work quoted in the text; Brown's Agricultural Survey of the West Riding of Yorkshire, p. 13, Lond. 1793, &c.; Debates in the House of Commons, 28th April, 1773.

† Farmer's Letters to the People of England, 3rd ed. vol. i. pp. 300, 302.

their natural sagacity would have led them to act with prudence and consideration, and prevented the multiplication of their numbers beyond the demand. That this would have been, in some measure, the case, is perhaps true; but considering the state of depression in which the poor have usually been involved, and their total ignorance of the most efficient causes of poverty, there are but slender grounds for thinking that this influence would have been very sensibly felt. A man must be in what is called a comfortable situation before he is at all likely to be much influenced by prospective considerations. The pressure of actual, not the fear of future wants, is the great incentive to the industry of the poor. Those who have speculated upon the operation of the poor-laws over the prudential virtues, have usually belonged to the upper classes, and have supposed that the lower classes are actuated by the same motives as those with whom they associate. But the circumstances under which these classes are placed are so very different, as to render it exceedingly difficult to draw any accurate conclusion as to the conduct of the one, in respect of such matters, from observations made upon the conduct of the other. A man who is in easy circumstances, if he would not lose caste, and would secure a continuance of the advantages which he enjoys, must exercise a certain degree of prudence; but those who possess few comforts, who are near the extreme verge of society, and have but little to lose, do not act under any such serious responsibility. A want of caution, and a recklessness of consequence, are in their case productive of comparatively little injury, and are less guarded against. The most comprehensive experience proves that this is the case. The lower we descend in the scale of society, the less consideration and forethought do we find to prevail. When we either compare the different classes of the same country, or of different countries, we invariably find, that poverty is never so little dreaded as by those who are most likely to become its victims. The nearer they approach it, the less is it feared by them. And that generally numerous class who are already so low that they can fall no lower, scruple not to plunge into excesses that would be shunned by others, and often indulge in gratifications productive of the most injurious consequences.

On the whole, therefore, there seems little reason for thinking that the fear of being left destitute in old age, had a compulsory provision not existed, would have operated with anything like the same force, in deterring the lower classes from entering into improvident unions, as the formidable restraints that grew out of the poor-laws. "A labouring man in his youth," it has been justly observed, "is not disposed to look forward to the decline of life, but listens to the impulses of passion. He sees the picture through the deceitful mirror which his inclinations hold up to him. Hence those restraints which persons of property, interested in keeping down poor-rate, will infallibly impose upon him, are far more likely to be efficacious than those which he will impose on himself."

It may be inferred, from the statements of contemporary writers, that the poors' rates amounted to about a million at the commencement of last century.* In 1776 they amounted, according to the official returns, to 1,720,316*l.*; and at an average of the years 1783, 1784, and 1785, being those immediately subsequent to the American war,

* Sir T. M. Eden on the State of the Poor, vol. i. p. 408.

they amounted to 2,167,748. This, when we consider the rise in the price of food, the great increase of population, and the distressed situation of the country at the termination of a disastrous contest, if it be really an increase, is certainly a very small one, and shows that the checks that had grown out of the system were sufficient to hinder the growth of factitious pauperism.

We go on in the work whence these paragraphs have been taken to show the mischievous influence of the changes that were made in the mode of administering the poor-laws between 1780 and 1796, and the mode in which these might have been obviated. In doing this we have had to recommend a system opposed in almost all respects to that introduced by the Poor Law Amendment Act, the 4 and 5 Will. IV. c. 76. Our theory on the subject is brief and simple. We think that all parishes, or unions of parishes voluntarily united for the purpose, should be compelled to provide for all classes of poor persons; but that the mode of providing for them, and the assessments for that purpose, should be left to the discretion of the parochial or union authorities; care being taken that the latter should, in all cases, be formed out of proprietors (or the agents of proprietors) of fixed property, the vote of each being determined by the amount of his property. To suppose that under a system of this sort the poor-rates should not be carefully and economically managed, would be contradictory and absurd, inasmuch as it supposes that men will not take care of their own property; and it is besides at variance with the experience of Scotland, and with that of every country where such a system has been introduced.

But the Poor Law Amendment Act has unfortunately proceeded on wholly different principles; and has taken the principal share of the management of the poor from the authorities in the parishes and unions throughout the country to entrust it to government agents acting under the orders of a central board of three Commissioners sitting in London! The success of this project has been precisely what might have been and *was* anticipated when it was set on foot. Its first effect was to combine the poor into a vast body, and to make the central board, or rather the government under whose orders the board must act, responsible for every abuse in the management of their concerns in every corner of the kingdom. Need any one wonder at the constant complaints and irritation that have grown out of such a system? It is, if anything can be, the climax of folly for a board sitting in London to pretend to dictate to the managers of a parish or union at Penzance or Morpeth how they shall order the concerns of their poor. Must not people of property on the spot, acquainted with all the various circumstances peculiar to each case, and on whom the burden for providing for the poor must fall, be incomparably better qualified than strangers to say how they should be treated? Those who affirm the contrary should, to be consistent, exert themselves to have government agents appointed to conduct the business of every landlord, manufacturer, and merchant in the kingdom.

It is idle to attempt to throw the blame of the failure of this system on the Commissioners. Their management may not, perhaps, have been the best that might have been pursued; but had such been the

case the result would not have been materially different. Unless the Commissioners were omniscient, how are they to become acquainted with all that goes on in the different workhouses throughout the kingdom, for the proper conduct of which they are, among other things, held to be responsible? The truth is, the Commissioners have undertaken duties which it is plainly impossible they can perform. These duties might, however, be easily and effectually performed by others; that is, by the people of property in different parts of the country, who are on the spot, acquainted with all that concerns the poor, and deeply interested in the due and economical management of their affairs.

It would be necessary or very desirable, in reforming the existing system, that a court of easy access should be established, to which the poor might refer their complaints; and the Commissioners might be advantageously continued for that purpose. But all their legislative and directorial functions should forthwith cease; and the guardians and parochial authorities, and not the Commissioners and their staff, should be held to be responsible for the proper treatment of the poor.

The following account of the introduction and operation of the existing system, has been drawn up by a gentleman concerned in its administration. We need not, therefore, be surprised at its being in favour of that system; but it is concisely and ably written, and may be consulted with no little advantage by all who wish to make themselves acquainted with the subject.

Sect. 2. *Poor Laws of England and Wales.*

That complicated and extensive body of English law, which is known as the "Poor Laws," consists of about 150 statutes, either wholly or partially in force, and either directly or indirectly bearing on the subject, besides a vast mass of decisions of the courts, to which the litigation occasioned by those enactments has given rise in the course of two centuries and a half. These statutes and decisions were made at various periods, under widely different circumstances, and during the prevalence of feelings and opinions the most dissimilar; and they consequently contain a multitude of provisions, which differ greatly in their objects and tendency, and which can only be reconciled and adequately explained by a reference to their origin. Independently of its intrinsic interest, therefore, a history of the poor laws is indispensable to the right understanding of their present state.* In the following very summary sketch, the more prominent points of that history will be briefly noticed.

Historical Retrospect.—Although the existing system of parochial relief is based upon the celebrated measure of 1601, the 43rd Eliz. chap. 2, and the previous enactments have now no practical effect, a rapid glance at the course of legislation on the subject before that time, will nevertheless be desirable.

The earliest statutes were chiefly, if not exclusively, directed to the

* Those who wish to pursue the inquiry further, by comparing the systems adopted in other countries, and their several results, with our own successive experiments, will be interested in perusing Mr. Senior's "*Statement of the Provision for the Poor, and of the Condition of the Labouring Classes, in a considerable portion of America and Europe.*"

restraint of vagrancy and mendicancy. Probably owing, in a great degree, to the gradual extinction of villenage, and the growth of free labour in its stead, these evils began to manifest themselves in the course of the 14th century, so as to call for the interference of the state.* The first experimental check was the prohibition of almsgiving. In 1349, the Ordinance of Labourers (23 Edw. III., c. 7), enacted that, "because many valiant beggars, so long as they may live of begging, do refuse to labour, giving themselves to idleness and vice, and sometimes to theft and other abominations, none, upon pain of imprisonment, shall, under the colour of pity or alms, give anything to such, which may labour, or presume to favour them in their sloth, so that thereby they may be compelled to labour for their necessary living." The remedy thus devised, however, was apparently not very effectual; as vagabondism continued to increase, and from time to time to attract the attention of the legislature, until in 1388, an attempt was made to repress it, by treating it as a punishable offence. The 12 Ric. II., c. 7, enacted that "every person that goeth begging, and is able to serve or labour, should be forthwith put into the stocks;" making an exception, however, in favour of people of religion, hermits, pilgrims, and scholars of the universities, having respectively letters testimonial.

This statute, however, did not confine itself to "valiant beggars," but went a step further, and directed that "beggars impotent to serve should abide in the cities or towns where they were dwelling at the time of the Act; or if the people there would not or could not maintain them, should withdraw to other towns within the hundred, rape, or wapentake, or to the towns where they were born, and there abide continually during their lives." This enactment seems to contain the first germ of the modern law of settlement. How far it may be considered as the commencement of a legal provision for the relief of the poor, is doubtful. It did not expressly cast upon the hundreds, &c., to which the "impotent beggars" were required to resort, any direct obligation to support them; but it seems to have given the latter an implied authority to beg within those limits.

Three years afterwards, in the same reign, we meet with a more specific provision for the maintenance of the indigent in certain cases. The 15 Ric. II., c. 6, (A.D. 1391,) required that, on the appropriation of any parish church, the diocesan should ordain, according to the value of the church, a convenient sum of money, out of the fruits and profits of the same church, to be paid and distributed yearly by the appropriators, to the "poor parishioners" of such church, in aid of their living and sustenance for ever. This was a distinct enactment securing to the poor, in certain cases, a right to that relief from the

* The decline and final extinction of villenage in this country is a subject of great obscurity (see Hallam's *Middle Ages*, ch. 8, part iii.); but that free service had largely taken its place by the middle of the 14th century, and that the emancipation of labour would compel the destitute to look to some other source of relief than the lord's bounty, can scarcely be doubted. The introduction of a state provision for the poor in our West Indian colonies, consequent on the abolition of slavery there, presents in our own times an instance in many respects instructively parallel.

ecclesiastical revenues, which they no doubt received to a great extent from the church and the monasteries by way of charity.

In the reign of Henry VII. the evil of vagrant mendicancy again obtruded itself upon the notice of the legislature. The 11 Hen. VII., c. 2, (1495,) and 19 Hen. VII., c. 12, (1504,) contained provisions similar to those of the 12 Ric. II., c. 7, but somewhat modified. The 22 Hen. VIII., c. 12, (1531,) did not differ from the foregoing statutes in principle, but its regulations were more detailed and more stringent. According to its directions, the justices of the peace were to assign to the impotent poor the limits within which they might beg; and persons begging beyond those limits, or without a licence, were to be punished by whipping, or the stocks. Able-bodied beggars were to be whipped and sworn to return to the place where they were born, or last dwelt for three years, and there put themselves to labour.

We now come to the second epoch in the history of the poor laws, the transition period from the dissolution of the monasteries to the passing of the 43rd Eliz. c. 2. It is manifest, from the statutes already cited, that the evils of able-bodied mendicancy and impotent poverty had been continually increasing through the land, long before and down to the time of the suppression of the religious houses; which event did not, perhaps, augment the actual amount of those evils, but rather, by drying up one considerable source of their relief, forced them more pressingly and more conspicuously upon the attention of the community.

In 1536, the legislature discovered that the Act of 1531 was defective, inasmuch as it did not provide how "the said poor people and sturdy vagabonds" should be ordered on their repairing to the places indicated, nor how the inhabitants of every hundred should be charged for the relief of the one class and the employment of the other. To supply these omissions, a statute was passed, which is interesting as containing the first rough draft or outline of the plan, that was afterwards more fully developed in the well-known Act of Elizabeth. This statute was the 27 Hen. VIII., c. 25; * which addressed itself chiefly to three points. It rendered the punishments for "sturdy beggars" still more severe than formerly,—whipping for the first offence, cropping the right ear for the second, and death as a felon for the third. It directed that "such as be lusty" should be kept to continual labour; and that "the poor, impotent, lame, feeble, sick, or diseased people, being not able to work," should be relieved, "so that in no wise they, nor none of them, be suffered to go openly in begging." And it provided a machinery for the collection and distribution of voluntary alms towards these purposes; confiding those duties to the head officers of towns, and the churchwardens, with two other persons,

* The 1st vol. of the *Proceedings of the Statistical Society of London* contains an interesting paper by Mr. Hallam, giving an account of some remarkable regulations enacted by the magistrates of Ypres, in Belgium, either in 1525 or in 1530 (a doubt lies between these two dates), for the maintenance of the poor. These regulations appear to have been generally adopted in the adjacent provinces of the Netherlands, under an edict of the Emperor Charles V.; and, as stated by Mr. Hallam, manifestly formed the model which was followed a few years afterwards by the legislature of this country.

in parishes, and exhorting the clergy, as well in their sermons, collections, and bidding of the beads, as in the time of confession and making of wills, to stir and provoke people to be liberal in their gifts. It did not, however, go so far as to introduce the principle of compulsory assessment; but it prohibited almsgiving otherwise than in the manner just described, or to fellow-parishioners, or prisoners; and it imposed on every parish making default in the execution of its provisions, a penalty of twenty shillings a month.

This statute was followed, in 1547, by the 1 Edw. VI., c. 3; which recited that the former Acts had had small effect, partly from foolish pity on the part of those who ought to have enforced them, and partly from the perverse nature and long-accustomed idleness of the persons given to loitering. The Act therefore proceeded to treat all able-bodied vagabonds with the utmost severity; beating, chaining, branding, slavery for a term, slavery for life, and even death, being included in the abundant variety of its penalties. As it was repealed within three years after its enactment, it need not be further adverted to, except to observe that it seems to have been the first statute which authorized the removal of the poor to the places of their legal settlement. On this point, it directed that the impotent poor should be conveyed by one constable to another, on horseback, cart, chariot, or otherwise, until brought to the place where they were born, or were most conversant for three years, there to be kept and nourished on alms.

In 1551, the 5 and 6 Edw. VI., c. 2. made some detailed regulations, on the plan of the 27 Hen. VIII., c. 25, for the authorised collection and distribution of voluntary alms; adding, however, that if any one, able to further the charitable work, obstinately and frowardly refused to give, or discouraged others, he should be gently exhorted by the minister and churchwardens: but if he would not be so persuaded, the bishop was to send for him, to induce him by charitable ways and means, and so according to his discretion to take order for the reformation thereof.

But these gentle exhortations and charitable persuasions proved, it would seem, very insufficient stimulants to the flagging benevolence of our ancestors; and accordingly, in 1563, the 5 Eliz., c. 3, enacted that, if the obstinate person would not be persuaded by the bishop, he should be brought before the justices at the next session, who should gently move him to extend his charity. If he still persisted in his froward refusal, the justices, with the churchwardens, were empowered to tax him, according to their good discretion, what sums he should pay weekly to the relief of the poor of the parish in which he might be dwelling; and to commit him to prison, in the case of non-payment, until he should comply with their order. In this proceeding, we observe the first introduction, although to a very limited extent, of the principle of compulsory taxation; which, soon afterwards (within 10 years), was adopted fully by the legislature, in the 14 Eliz., c. 5, passed in 1572. This statute continued the old plan of attempting to put down "rogues, vagabonds, and sturdy beggars," by severity of punishment; the penalties being graduated from whipping and burning through the ear, to death without benefit of clergy; but at the same time it made provision for the relief of the impotent poor, in the

following manner. The justices, within their several divisions, were required to ascertain and register the names of "all aged, poor, impotent, and decayed persons," living by alms, who were born there, or had been dwelling there within three years before; to settle the same poor people in meet places within their respective divisions; to set down the amount of the weekly charge for the sustentation of these persons; and, "by their good discretions, to tax and assess all the inhabitants dwelling within the said divisions to such weekly charge." The justices were also authorised to enforce the payment of the tax by imprisonment; and to appoint officers for collecting and distributing it under their direction. In applying this fund, the justices were first to provide for the impotent poor; and in the next place, to set to work the able-bodied rogues and vagabonds, who were to be sustained only upon their labour. And if any of the impotent poor refused to give up begging, and to remain where they were settled by the justices, or refused to work to the extent of their ability, they were made liable to be punished as rogues and vagabonds. But the justices in sessions might, nevertheless, give the poor in those places where collection of money could not presently be had, a licence to gather alms at the houses of the inhabitants "within such other town, parish, or parishes of the county, as the said justices should name;" and the inhabitants of such town or parish were bound, under penalties to be inflicted by the justices, to relieve the said poor accordingly. It will be observed, that this statute cast the charge of the relief of the poor generally, upon the divisions under the jurisdiction of the several justices; whilst the tendency of the previous enactments had been, to make it a matter of parochial concern, and to engage the clergy and churchwardens in the discharge of the principal functions connected with it. In 1598, however, the legislature returned to the ecclesiastical district of the parish; an Act being passed in that year, the 39 Eliz., c. 3, which very closely resembled its more famous successor of 1601. The 39 Eliz., c. 4, should also be noticed as one in the continued series of enactments for the punishment of rogues and vagabonds.

The third epoch in our poor law history commences with the year 1601, when the 43 Eliz., c. 2, laid the permanent foundation of a system, which has received, and justly deserves, very high eulogium as one of the most remarkable instances of practical legislation. It made provision for the relief of the impotent poor; directing at the same time that work should be found for such able-bodied poor persons as were unable to maintain themselves. The agency or machinery by which this principle of making the relief of the able-bodied poor depend upon their rendering their labour in return, has varied greatly in subsequent periods; but the principle itself has never been lost sight of. The scheme of this statute, in its general outline, required that overseers should be annually appointed by the justices, in the several parishes throughout the country; and entrusted to those officers, in conjunction with the churchwardens, and under the control of the justices, the duties of raising the necessary funds by rateable taxation of the inhabitants, and of applying those funds to the maintenance of the destitute, and the employment of such of the poor as might be able to work.

The 7 Jac. I., c. 4, (1609), enlarged the provisions of the 39 Eliz., c. 4, with respect to the confinement and employment of rogues and vagabonds in houses of correction.

The establishment of a legal provision for the poor seems to have led to the growth of a new set of evils, which in the reign of Charles II. occasioned a legislative attempt to repress them. The 13 and 14 Car. II., c. 12, (1661-2,) recites, that "whereas by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest commons or wastes to build cottages, and the most woods for them to burn or destroy; and when they have consumed it, then to another parish; and at last become rogues and vagabonds; to the great discouragement of parishes to provide stocks, where it is liable to be devoured by strangers;" and it proceeds to enact provisions for the removal of persons so coming to settle, within forty days after their arrival, unless they have taken a tenement of the yearly value of 10*l*. Other regulations were also made in this statute, as well as in several subsequent Acts passed in the same and succeeding reigns, having, for their object, to diminish the facilities for gaining settlements, and for contracting habits of pauperism according to law.

But the restriction on the free circulation of labour, which resulted from the operation of the settlement laws, came ere long to be severely felt; as is shown by the preamble to the 8 and 9 Will. III., c. 30, (1696,) which describes the evil arising from the confinement of the poor within their own parishes, "though their labour is wanted in many other places, where the increase of manufactures would employ more hands." It is curious to observe, that the efforts of the legislature, instead of being directed, as formerly, towards the repression of mendicant vagrancy, were now turned against the somewhat contrary habits generated by settled pauperism. The general improvement in the habits, intelligence, and wealth of the people, had no doubt contributed largely to reduce the former evil; but it is clear that the poor laws likewise assisted in bringing the poorer classes into a settled condition, and indeed eventually led them into the excess of resisting all change of place, in the fear of losing their title to relief without the liability to removal.

The 9 Geo. I., c. 7, passed in 1722, was the next important attempt to cope with the increase of pauperism, which was doubtless fostered, to a great extent, by the mischievous effects of the settlement laws.*

* The effect of these laws was, we believe, entirely contrary. But, without insisting on this point, it is sufficiently obvious that the principle laid down in the Act 9 Geo. I. c. 7, should not have been interfered with. It gave leave to the parochial authorities, if they thought fit, to refuse relief to parties claiming assistance, except in workhouses; and it authorized two or more parishes to join together to build a workhouse for their common use. But in the 19th century, we are not satisfied with permitting parishes to look after their own interests. The legislature takes it for granted, that they do not know where the shoe pinches, and cannot take care of themselves; and consequently authorizes the Central Board to compel parishes, however disinclined to such union, to join with others, to build workhouses; and to send, at the bidding of the sub-commissioners, their poor to these establishments, when, perhaps, they might keep them at home for half the expense.

This Act gave the justices large powers of control over the overseers in the actual distribution of relief; and is especially remarkable as introducing a new mode of administering relief, the partial and gradual adoption of which has at length resulted in its complete recognition by the general law. It enabled parishes (but did not compel them) to provide themselves with workhouses,* for the maintenance and employment of the poor, either by erecting a separate building, or by uniting with other parishes for the purpose, or by contracting, for the reception of their paupers, with other parishes having workhouses.

The two principal features of this new scheme,—workhouse relief and parochial unions, had been previously adopted in a few corporate towns under the authority of local Acts; and were now rapidly extended to other towns and districts, under the like authority. These local Acts, also, in most instances, took the administration of relief out of the hands of the overseers and the justices, and transferred it to a body, called by a variety of designations, such as governors, directors, and guardians of the poor, and either self-elected or elected annually by the ratepayers.

Notwithstanding all these measures, however, poor rates and pauperism continued to increase; and with a view to check their further progress, the 22 Geo. III. c. 83, was passed in 1782. This Act (usually called Gilbert's Act), may be regarded as an exception to the general course of our legislation for the poor. Instead of requiring the able-bodied to be set to work as a condition of their receiving relief, (like the statute of Elizabeth); instead of rendering the workhouse a means of employing that class of paupers, (like the statute of Geo. I.); it reserved the workhouse for the aged, the sick, the infirm, and orphan and other children; and directed the guardians of each parish (who to a great extent replaced the overseers) to find private employment near their own homes for poor persons able and willing to work, receive the wages, apply them to the maintenance of such persons, make up any deficiency from the poor rates, and pay over any surplus to the individual; and to prosecute idle and disorderly persons able but unwilling to work. The Act might be adopted by any parish, or by any union of parishes formed under its provisions; but it does not appear to have been at any time extensively resorted to, and is now confined to a very few districts.

The deviation observable in Gilbert's Act, from the earlier and sounder principles, grew wider and wider in the subsequent legislation, until it reached its utmost limit in East's Act, the 55 Geo. III. c. 137, passed in 1815. By this statute, justices were empowered to order relief to be given for any time not exceeding, where the order was that of one justice, three months, where it was that of two justices, six months; and this relief, instead of being afforded in the workhouse, was to be paid to the poor at their own homes. The amount, however, which the justices might order to be paid for any period beyond a month, was restricted to 3*s.* per week for each person, or to three-fourths

That such a law should have kept its place on the statute book for a dozen years, is not a little surprising.

* It is supposed that the introduction of such establishments into this country was suggested by the success of similar institutions in Holland.

of the average expense of maintaining a person in the workhouse. The mischievous and demoralizing influence of the mistaken, though doubtless well meant, policy, of which this statute may be regarded as the crowning work, is abundantly proved by the evidence given to every Parliamentary Committee which afterwards sat to investigate the subject, as well as to the Commission of Inquiry appointed in 1832.

Sturges Bourne's Act, the 59 Geo. III. c. 12, (1819,) made some approach towards a return to the plan of requiring work as a condition of the receipt of relief. The method it adopted, however, was not a well-devised one; as it directed the overseers to pay "reasonable wages" to the poor persons they employed, and gave to such persons "such and the like remedies for the recovery of their wages, as other labourers in husbandry have;" thus placing the parish in the situation of a private employer, with the disadvantage of being unable to choose whom it would employ. The Act enabled parishes to take land for the purpose of employing the poor in its cultivation; and introduced some changes into the administrative machinery of the poor laws, by providing for the constitution of select vestries to control, and to a great extent supersede, the overseers, and for the appointment of paid assistant overseers to assist them in their office. But the appointment of such vestries and assistant overseers was left at the option of the parishes. The 1 and 2 Wm. IV. c. 60, or Hobhouse's Act, (1831) had in view the same object of improving the administrative machinery. Its provisions could only be adopted by parishes of large population, and with the consent of at least one-third of the rate-payers; and had reference chiefly to the election of vestry-men, to replace the overseers in regard to the relief of the poor, and of auditors, to discharge the functions of the justices in the auditing of the parish accounts. Very few parishes have had recourse to this Act; but these few are large and populous.

From this slight review, it will be manifest how numerous and conflicting the principles and modes of administration had now become, in this department of the law; while the number of subordinate enactments and of decisions of the courts, had contributed so largely to complicate the system, that it was in fact extremely difficult either to be comprehended as a whole, or to be reconciled in its various parts, especially by the untrained and ever-changing officers to whom its execution was entrusted. Irregularities of all kinds naturally followed, which in their turn gave rise to continual litigation; the unpaid and nearly irresponsible officers found, and did not fail to take advantage of abundant opportunities for abusing their powers for their private ends; and even the control which might be lawfully exercised by the magistracy, was, from various causes, altogether insufficient to check the increasing evils arising from the misapplication or the mismanagement of the poor rates.

Parliamentary committees had from time to time been appointed, and had received evidence and reported on it, without being able to come to any conclusion as to the measures necessary to abate the evils, which all admitted to be enormous, and many feared to be irremediable. At length, in 1832, a Commission of Inquiry was appointed by the Crown, with larger and more effectual means of investigation than ever

parliament itself could employ. The inquiry was directed by the Commissioners, and conducted in detail by Assistant Commissioners. On the 20th February, 1834, the Commissioners made an elaborate report, accompanied by the evidence they had collected, describing the prevailing abuses of the law, their evil consequences, and their various causes, and suggesting a series of remedial measures. To this report, the reader is referred, for detailed information on these various points; it may be sufficient here to observe that the Commissioners found the effects of these wide-spread and growing abuses to be of the most disastrous character, threatening to become still more ruinous to the country. The poor-rate expenditure had been for some time increasing in a ratio much greater than the population; and where the increase was the largest, the effect upon the character and position of the labourers seemed to be the most pernicious. The evils were rifest in the agricultural counties, especially in the south, though by no means exclusively confined to those districts. The incendiary fires, and machine-breaking riots, which prevailed about 1830-31, were not only an indication of the disorganized state of the agricultural districts, but were also at the time regarded, and no doubt rightly enough, as one among the many unhappy results of the mal-administration of the poor laws. It is an indicative fact, that these fires and riots were mainly confined to the counties which were most pauperized, and in which the consequences of the poor law mismanagement were most fully developed. In giving a summary of the answers to a request for information concerning the causes and consequences of the agricultural riots and burnings of 1830 and 1831, the report states,—"The result is, that of 93 parishes, in four ill-administered counties, the population is 113,147, and the expenditure 81,978*l.*, or 14*s.* 5*d.* per head; and of 80 parishes in three well-administered counties, the population is 105,728, and the expenditure 30,820*l.*, or 5*s.* 9*d.* per head; and that those counties in which the expenditure is large, are those in which the industry and skill of the labourers are passing away, the connexion between master and servant has become precarious, the unmarried are defrauded of their fair earnings, and riots and incendiarism have prevailed. The three counties in which it is comparatively small, are those in which scarcely any instance of fire or tumult appears to have occurred, in which mutual attachment exists between the workman and his employer, in which wages depend not on marriage, but on ability, and the diligence and skill of the labourers are unimpaired or increased." * In a few places, the mischief became so unmanageable, as even to throw the land out of cultivation; and where the evil attained its greatest height, the ruined character of the labourers attested its devastating influence.

This Act, 4 and 5 Will. IV., c. 76, which was founded on the recommendations of the Commissioners, received the Royal Assent on the 14th August, 1834; having been passed in both Houses of Parliament with an astonishing degree of unanimity, notwithstanding some violent

* See also the account of the rural disturbances in *Annual Register for* 1830 (vol. xxii. Hist. p. 149, Chron. p. 199); and the Circular to the magistrates, from the Home Secretary, dated the 8th December, 1830, as to the impolicy of yielding to the demands of the rioters—(*ib.* Chron, p. 200.)

opposition out of doors. It introduced very considerable changes in the machinery for the administration of the law; by narrowing the authoritative control of the justices; by substituting, as regards the distribution of relief, guardians annually elected by the ratepayers and owners of property, for the overseers appointed by the justices; and especially by creating a central Board of Commissioners, with large superintending powers. It also provided for the formation of unions of parishes; for the erection of workhouses; and for the appointment of paid officers by the Boards of Guardians. Among the chief evils in the distribution of relief, which the statute was intended to remedy, were the allowance of relief in aid of wages, and other irregular and mischievous practices connected with the relief of the able-bodied; and the reduction and regulation of the out-door relief (*i. e.* relief afforded out of the workhouse) to this class of paupers, were the principal means on which it relied for the removal of these abuses. The amendment of the bastardy laws, by taking away from the mothers of bastards the superior advantages in the way of relief which, as such mothers, they obtained under the old system, was another of the objects contemplated by the measure.

The statutes which have since been passed have not interfered with the principle of the Act of 1834, (except, perhaps, with respect to bastardy,) but have been chiefly designed to further and facilitate the full accomplishment of its objects. Among them may be noticed, as the most prominent, the 6 and 7 Will. IV., c. 96 (1836), which relates to the assessment of the poor rates; the 5 and 6 Vict., c. 57 (1842), for the further amendment of the poor laws; and the 7 and 8 Vict., c. 101 (1844), which modified the law in a variety of important details, such as the election of guardians and the audit of accounts, which made a radical change in regard to bastardy, by leaving the remedy against the putative father to the mother alone, and disconnecting it entirely from the parishes, and which provided for the formation of districts for the establishment of schools for the pauper children, and of asylums for the casual poor. The Act of last session (1846) relating to the removal of paupers (9 and 10 Vict., c. 66) should likewise be noticed, as protecting paupers under certain circumstances from the inconveniences of being removed to the parishes of their legal settlement. Though not directly connected with the relief of the poor, it is right to advert to the Acts for the registration of births, deaths, and marriages, and for the extension of vaccination; with respect to which, the Legislature has taken advantage of the poor law machinery for carrying out the detailed execution of their provisions.

Existing System.—The retrospective glance which we have just given at the history of the poor laws, will indicate the very complex nature of that public provision for the relief of the destitute, which has gradually matured itself, through the experiments of centuries, into the system that now prevails. In attempting to trace a concise but comprehensive outline of this system, it may be convenient to notice first the several classes of poor, and the different modes of relieving them; and afterwards to describe briefly the administrative machinery.

The accumulated effect of the English poor laws is, that no person

in England or Wales shall be absolutely destitute of the necessary means of subsistence; the property of the community, while any assessable property remains, being made liable to contribute to the maintenance of all its members. This legal provision for the indigent removes all pretext for begging or plunder as derived from the want of the necessaries of life; and accordingly, in our criminal law, not only does poverty fail to exculpate theft, but it is a specific offence, punishable by imprisonment, publicly to beg, or gather private alms, or procure or encourage any child to do so (5 Geo. IV. c. 83).

But to prevent unfounded claims upon the fund intended only for the really destitute, and to diminish the inducement which the existence of that fund affords to indolence and voluntary pauperism, as well as to apportion the relief according to the actual necessities of its recipients, it has been found necessary to subject the several classes of persons requiring relief to different regulations. Those classes are, chiefly, the impotent poor, whether impotent through old age or infancy, through bodily or mental infirmity, through sickness or accident; the able-bodied poor; and the casual poor, whether impotent or able-bodied.

With respect to the impotent through old age or through bodily infirmity, the 43 Eliz. c. 2., s. 1, provides that "competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them being poor and not able to work, shall be gathered out of the parish," &c. The prudent character of this enactment is shown in its limitation to "necessary relief," even in the case of the most legitimate objects of relief; while it benevolently assures all that can be secured to them without relaxing, to a dangerous extent, the restraint on improvidence in health or early life. Paupers of this class being "poor and not able to work," the statute does not require that they shall be set to work as a condition of relief; and in the same spirit, the Act of 1834 (the 4 and 5 Will. IV., c. 76, s. 27), provides for the exemption, on the order of two justices, of "any adult person who shall from old age or infirmity of body be wholly unable to work," from the necessity of receiving relief in the workhouse.

Paupers impotent through infancy, are either those who, having some bodily infirmity, are disabled, wholly or partially, for labour; or those who, being free from other infirmity than such as arises from their youth, may be expected one day to become, by their own exertions, independent of relief. The former, when destitute of friends or of private means of subsistence, are subject, in the main, to the same considerations as those who are impotent through age, and are entitled to be relieved in the same manner, and under the same enactments; and even the parents of such children as are blind, deaf, or dumb, are exempted (see 4 and 5 Will. IV., c. 76, s. 56), from the liabilities which attach to the parents of other children relieved by the parish. With regard to such children as may be expected to become independent of relief, it is obviously desirable that motives should be given and means supplied to them, by which that result may be most effectually promoted. In accordance with this view, the 43 Eliz., c. 2, provides for setting to work the children of such parents as are unable

to maintain them; and for putting them out to be apprentices. While the administration of relief remained in the hands of the overseers, several statutes were passed for the purpose of regulating the apprenticing of pauper children; chiefly by subjecting the proceedings of the overseers to the direct supervision and control of the justices, and by imposing various restrictions as to the selection of the masters, the age of the apprentice, the manner of the binding, and so forth. But the duties of overseers in this matter have recently been transferred to the guardians of the poor, the interference of the justices dispensed with, and the power of control invested in the Poor Law Commissioners, (see 4 and 5 Will. IV., c. 76, s. 15; and 7 and 8 Vict., c. 101, s. 12.) The Commissioners, on the 31st December, 1844, issued a general order prescribing detailed regulations for the guidance of the guardians in the discharge of their duties on this subject.

These principles in regard to the relief of children apply equally to the legitimate and the illegitimate; but it may be mentioned that, before the passing of the Act of 1834, a peculiar practice, originating in a singular perversion of the law, obtained with respect to bastards, that of requiring the parish to give relief in money to the mother, in case the putative father failed to do so under an order of justices; thus placing mothers of bastards in a position far superior, as respects parochial support, to that of perhaps any other class of women. This irregular and mischievous practice was corrected, to a great extent, by the Poor Law Amendment Act of 1834; but the further Amendment Act of 1844 (7 and 8 Vict., c. 101) put the matter entirely on a new footing, by disconnecting the parish altogether from the affiliation of bastards, and creating a remedy against the putative father available to the mother alone.

The education of pauper children is an essential part of their relief; and the Poor Law Commissioners are expressly empowered to issue orders for its regulation, in the case of children in workhouses. And the Commissioners have paid very considerable attention to this important subject.* The 7 and 8 Vict., c. 101, (ss. 40—52) provides for the combination of Unions and parishes into school districts, for the education of pauper children.

Those who are impotent through sickness or accident are entitled to such relief as the peculiar character of their necessities may call for. In so far as they come under the designation of "Casual Poor," they will be spoken of more at large hereafter. To the entire class, efficient medical aid is secured, by the appointment of legally qualified medical officers, in the several unions and parishes; and medical relief is duly afforded, either in the workhouse or at the paupers' own homes, as the cases may respectively require.

To paupers impotent through mental infirmity, special enactments are applicable. The workhouse, of which the most appropriate use is to keep those employed who are able to work, is obviously unfit for this unfortunate class, who are not voluntary paupers, and whose peculiar necessities require physical and moral treatment wholly different from that of other destitute persons. Accordingly, the 4 and 5

* See especially their Report on the training of pauper children, dated January 21, 1840.

Will. IV., c. 76, § 44, enacts that no dangerous lunatic, insane person, or idiot, shall be detained in any workhouse for more than 14 days. Asylums for pauper lunatics have been established, at the expense of the county, in many of the counties of England and Wales; and the 8 and 9 Vict., c. 126, renders it compulsory upon those counties which are not already so provided, to supply the omission forthwith. A reference to this statute, and to the 8 and 9 Vict., c. 100, will furnish detailed information concerning the management of these asylums, as well as the registration of public hospitals and the licensing of private houses for the reception of lunatics; and also concerning the mode of sending paupers, under the authority of justices, to such institutions, maintaining them therein, and discharging them therefrom.

Such are the classes of impotent poor, with respect to whom the Legislature has manifestly exhibited a continual solicitude for the alleviation of their misfortunes. It may perhaps be contended that this solicitude would have been more prudently exemplified, if stronger inducements had been held out to those, who are in the enjoyment of health and strength, to provide against the casualties of life, and its decline; but at all events, in this portion of the Poor Laws, the humanity which addresses itself to the alleviation (if not to the prevention) of misery, is emphatically displayed, in contradistinction to those provisions which have in view the further object of securing society, as well as the individual, from the evil consequences which attend the indulgence of habits of indolence and improvidence.

Statutes designed to encourage the industry of those who were able to work abounded in our early legislation. The severe penal enactments directed against those who followed no course of industry, or lived by begging, have been already alluded to in the preceding history of the Poor Laws. Supplementary to such provisions are those of the 43 Eliz., c. 2, and the other poor law statutes; which, when private employment or the industry of the labourer fails, supersede the necessity for begging, by establishing a public fund for setting the able-bodied poor to work.

The 43 Eliz., c. 2, directed the overseers to provide "a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff, to set the poor on work;" and made no provision whatever for relieving the able-bodied without employing them. Nevertheless, the salutary principle of this measure was in the course of time so far forgotten and neglected, that it eventually became the general rule, not only to give relief without requiring work at all, but even to exceed the liberality of the statute towards the aged and helpless, by relieving the able-bodied in money, to be spent at their own discretion. But the evil did not stop there; for the further abuse was ultimately superadded, of paying money out of the poor rates, not merely to such as were out of work, but even to those who were in private employment; such "relief in aid of wages" being, in fact, a mode of assisting the employers of labour, instead of the labourers themselves.*

The 52nd section of the 4 and 5 Will. IV., c. 76 (1834) recites: "And whereas a practice has obtained of giving relief to persons or their

* For a complete detail of the evils of the allowance system, see the Report of the Commissioners of Inquiry, 1834.

families who, at the time of applying for or receiving such relief, were wholly or partially in the employment of individuals, and the relief of the able-bodied and their families is in many places administered in modes productive of evil in other respects: And whereas difficulty may arise in case any immediate and universal remedy is attempted to be applied in the matters aforesaid." It then confers on the Poor Law Commissioners power "to declare to what extent, and for what period, the relief to be given to able-bodied persons or to their families in any particular parish or union may be administered out of the workhouse of such parish or union, by payments in money, or with food or clothing in kind, or partly in kind and partly in money, and in what proportions, to what persons or class of persons, at what times and places, on what conditions, and in what manner, such out-door relief may be afforded."* All relief given contrary to such regulations is declared illegal, and is to be disallowed in the accounts of the person giving it. Exceptions, however, are made for cases where special and unforeseen circumstances may render the immediate operation of the regulations inconvenient or dangerous.

It will be observed that this enactment does not at once abolish all out-door relief to the able-bodied, nor does it even require such abolition at any future time; but it entrusts to a central authority the power of restricting and regulating such relief, so as to prevent the continuance or recurrence of the evils which the previous practices had engendered. The Poor Law Commissioners, in exercising this power, have issued a General Order (dated 21st December, 1844,) directing that, in the unions and parishes to which the order applies, the able-bodied poor and their families shall be relieved wholly in the workhouse, but exempting from its operation certain classes of cases, and providing that the guardians may depart from its regulations in any special instance, subject to the subsequent approval of the Commissioners. The excepted cases are those of persons requiring relief on account of sudden and urgent necessity, or on account of sickness, accident, or bodily or mental infirmity affecting such person or any of his or her family, or on account of the burial of any of his or her family; those of widows under certain circumstances; and those of the families of prisoners—soldiers, sailors, and marines—and other persons residing out of the union away from such families.

By the same statute, effective means are placed at the disposal of the Commissioners for the government of workhouses, for the regulation of the nature and amount of the relief to be afforded to and the labour to be exacted from the inmates, and for the preservation of good order within them. The Commissioners, by a General Order of 5th February, 1842, have laid down certain rules and regulations for this purpose, prescribing the course to be pursued with regard to the admission of paupers, their classification, diet, discipline, and punish-

* This is one of not a few clauses in this Act that are opposed alike to principle and common sense. Why vest such a power in the hands of the Commissioners? Why not return to the sound principle embodied in the 9 Geo. I., c. 7, and permit the parochial authorities to give relief in workhouses or elsewhere, as they may think best? Are they not likely to be better informed upon such matters, and have they not an incomparably greater interest in the proper administration of the affairs of the poor than the Commissioners?

ment, pointing out the specific duties of the several officers, and so forth.

Such are the principal provisions of the law relating to the relief of the able-bodied poor. In noticing the class of "Casual poor," *i. e.*, persons overtaken in a parish where they are neither resident nor legally settled, by some sudden and urgent necessity, which compels them to seek for temporary relief, it may be observed generally that they must be relieved wheresoever they meet with the casualty, or lie sick in consequence. The Poor Law Amendment Act of 1834, s. 54, which deprives overseers, where select vestries or Boards of Guardians exist, of their general authority as to granting relief, still obliges them to afford such temporary relief in articles of necessity, but not in money, as may be required in sudden and urgent cases, and subjects them to penalties if they refuse to do so when ordered by a justice of the peace; moreover, they are indictable for such neglect. And it has been held that a medical man is entitled to receive the costs of attending and supplying medicines to poor persons, suffering from sudden illness or accident, where the officers of the parish fail to provide the requisite medical relief.

Besides those who are overtaken by illness or accident, there is another description of persons falling under the designation of "Casual poor;" vagrants, mendicants, wayfarers, tramps, and others, who from various causes may stand in need of immediate and temporary relief, in parishes where they are neither resident nor settled. We have already seen how largely the earlier statutes were occupied with that very troublesome body, the "valiant beggars" and "sturdy vagabonds;" and the difficulty of dealing with them effectually and judiciously seems rather to have increased than diminished with the course of time. The last penal statute relating to vagrants was the 5 Geo. IV., c. 83, which is still in force. We are now concerned, however, with their relief, rather than their punishment. The Act of 1842, for the further amendment of the Poor Laws (5 and 6 Vict., c. 57, s. 5) enabled the guardians to prescribe a task of work to be performed by such paupers, in return for the food and lodging afforded them in the workhouse; and to detain them for its performance for any time not exceeding four hours from the hour of breakfast in the morning after their admission. This enactment also provides for their punishment, in case of refusal to work, as well as in case of certain other disorderly and mischievous proceedings.

The general order for the government of workhouses, already mentioned as issued by the Poor Law Commissioners in 1842, requires this class of paupers to be kept in a separate ward, and to be dieted and set to work according to the regulations of the guardians, approved by the Commissioners. The continued augmentation of the evil, however, and the correspondingly increased difficulty of meeting it by means of the workhouse, especially in the larger towns, induced the legislature, in 1844, to give authority to the Poor Law Commissioners, to form districts of unions and parishes in the metropolis, and certain other cities, "for the purpose of providing and managing asylums for the temporary relief and setting to work therein of destitute houseless poor, who are not charged with any offence, and who may apply for relief,

or become chargeable to the poor rates within any such parish or union." But in consequence of an investigation made last session by a select Committee of the House of Commons, into the expediency of such asylums, their establishment is at present in abeyance.

Before closing this account of the classes of paupers, and the modes of relief, notice should be taken of the liabilities of the recipients of relief, or other persons on their behalf, for the reimbursement of the parish, or otherwise. Under the 43 Eliz. c. 2. s. 7, grand-parents are liable, according to their ability, to support their grandchildren, parents their children, and children their parents; the amount of contribution in each case to be assessed by the justices. Under the 4 and 5 Wm. IV. c. 76, s. 56, parents are liable for all relief to their dependent children, as if it were administered to themselves; and under s. 57, every man marrying after the passing of the Act, is bound to maintain all his step-children, whether legitimate or illegitimate, until their mother dies, or they attain the age of 16. By s. 71, relief to any bastard child born after the passing of the Act is made, in law, relief to the mother herself; and by the 7 and 8 Vict. c. 101, s. 25, it is enacted that, while the husband of any woman is beyond the seas, or in custody of the law, or confined as a lunatic, all relief granted to her or her children, shall be given in the same manner and subject to the same conditions as if she were a widow. Relief given to any person beyond the age of 21 may, under the regulations of the Commissioners, be treated as a loan, whether any receipt or acknowledgment be given for it, or not; and may be recovered, under an order of justices, by attachment of the party's wages in his master's hands (4 and 5 Wm IV. c. 76, ss. 58, 59).

Before the passing of the Act for the further amendment of the Poor Laws in 1844, it was very doubtful how far the expenses of burying deceased poor persons could lawfully be defrayed out of the poor rates, either as relief to any individuals, or otherwise. By the 31st section of that Act (7 and 8 Vict. c. 101), this difficulty was removed, and the guardians, (or where there are no guardians, the overseers) were fully authorized to pay such expenses, including the customary burial fees, in all cases of burials under their direction.

The administrative machinery for carrying the provisions of the law into effect, is scarcely of less importance than the principles of those provisions, inasmuch as the efficacy of the one almost entirely depends upon the working of the other.

Our poor law system was in its origin exclusively, and still remains essentially, parochial. The fund for affording relief is not derived from the national revenues, nor is it obtained by means of county taxation; but it is raised in each parish separately, and expended solely on account of the paupers which each parish is respectively liable to maintain. Each individual parish, therefore, has a direct and exclusive interest in the levy and expenditure of its own particular fund.

Under the statute of Elizabeth, the requisite sums are to be raised "by taxation of every inhabitant, parson, vicar, and other, and of every occupier of lands, houses, tithes impropriate, propriation of tithes, coal-mines, or saleable underwoods." Inhabitants are at present exempted by a temporary Act, from their liability to be rated in respect

of stock in trade, or other personal property. Consequently, the burden falls upon parsons and vicars, who are rateable in respect of their ability, as derived principally from their tithes; upon the occupiers of lands, houses, coal-mines, and saleable underwoods; and upon the impropriators and appropriators of tithes; personal property of every sort, all mines, except coal-mines, all timber and wood, except saleable underwoods, and indeed all property, but the particular kinds just enumerated, being free from the charge. In some few cases, the owners may be assessed instead of the occupiers. The assessment is to be laid upon the net annual value of the property, as defined in the Parochial Assessments Act (6 and 7 Wm. IV. c. 96); which statute also makes provision for obtaining a professional valuation of the rateable property, in any parish desiring it. The duty of making the assessment rests with the overseers; but protection is afforded to the rate-payers, by the right of appealing against the rate to the justices in special or in quarter sessions. The duty of collecting the rate (payment of which may be enforced by distress and sale of the defaulter's goods, and even by imprisonment) likewise attaches to the overseers; but paid collectors may be appointed by the guardians, with the sanction of the Commissioners, to assist them. The overseers are still bound to perform these functions, even in parishes in union, or under Boards of Guardians, though deprived, in such cases, of their former authority as to the distribution of relief.

The parochial incidence of the burden of relief naturally gave rise to the law of settlement; the "settlement" of a pauper being another word for the liability of a particular parish to support him, if he becomes chargeable within it, and to receive him if he be removed to it on becoming chargeable elsewhere. There is scarcely, perhaps, any branch of our law more complicated in its details than that relating to parish settlements; but it will be sufficient to intimate generally, that, in the present state of the law, a person may become legally settled in a parish by any one of the following modes, viz.: by birth; by parentage; by marriage; by apprenticeship; by renting a tenement; by possession of an estate; and by payment of rates and taxes. Some other modes of acquiring settlements were abolished by the 4 and 5 Wm. IV. c. 76, as to the future; but many such settlements previously gained, no doubt still subsist. In every case, the operative settlement is the one last acquired by the pauper.

Consequent on the liability of a particular parish to maintain a pauper, is the liability of such pauper to be removed to that parish, if he become chargeable in another English parish. Numerous statutes have at various times been passed, authorizing and regulating such removals under orders or warrants of the justices of the peace; and a very large portion of the whole amount of poor law litigation has grown out of the endeavours of contending parishes, either to procure or to defeat the transfer of paupers from the one to the other by means of such orders. When a person becomes chargeable to any parish in which he is resident, he may, if legally settled elsewhere, be removed thither by order of justices, on the complaint of the overseers of the parish to which he is chargeable (13 and 14 Car. II. c. 12; and 35 Geo. III. c. 101, s. 1); but if he is too ill to be safely removed,

the order may be suspended until it can be executed without danger (35 Geo. III. c. 101, s. 2). In the last session of Parliament (1846), an Act (9 and 10 Vict. c. 66) was passed, apparently under the influence of a policy somewhat different from that hitherto adopted; for while former statutes looked almost exclusively to the adjustment of the claims and obligations of the several parishes, the Act alluded to has reference chiefly to the advantage of the paupers, inasmuch as it prohibits their removal under certain circumstances, and consequently, in the cases to which it applies, protects them from the inconveniences which such removals frequently entailed upon them.

Long before the passing of this Act, however, a practice had been extensively adopted, which in some degree moderated the harsh effects of the settlement laws, by saving the paupers from the inconvenience, and the parishes from the expense of removals. This practice consisted in the allowance of relief to a pauper, at the charge of the parish of his settlement, while he was residing elsewhere; which allowance is termed "Non-resident Relief." Such relief is not expressly authorized by any statute, except in certain cases of widows (see 7 and 8 Vict. c. 101, s. 26); but it is recognized and regulated by general orders of the Commissioners, bearing date the 21st December, 1844; by one of which, it is forbidden, except in certain cases; and by the other, its transmission to the paupers, in the cases in which it may be granted, is provided for. Even where it is allowed, however, the parish in which the pauper is residing, is held by the law responsible in the first instance for his due relief.

Before leaving the subject of the separate liabilities of individual parishes, it should be mentioned that parishes may be combined into unions for the purposes of rating and settlement, under the 4 and 5 Will. IV., c. 76, ss. 33–36.

The selection of the "parish" as the territorial division likely to prove the most convenient for the purposes of poor-law administration, was, no doubt, fully justified by the circumstances of the country in Queen Elizabeth's reign. But the changes occurring in the lapse of centuries have rendered some modifications necessary; as the singular and fortuitous variety in the area and population of the several parishes presented obstacles to efficient management, which continually increased with the altered condition of the community. When the statute of Elizabeth was passed, there were apparently about 10,000 parishes; and this number was afterwards virtually augmented to upwards of 15,000, by the operation of the 13 and 14 Car. II., c. 12, which enabled townships, under certain circumstances, to erect themselves into parishes for poor-law purposes. It is shown by the census of 1831, that out of 15,535 parishes and townships separately maintaining their own poor, nearly 6,700 had at that time a population below 300 respectively. In such places, it was obviously impracticable to procure a yearly succession of competent officers, or to provide the means and instruments of systematic administration, without incurring an enormous waste of labour and expense.

The plan of combining parishes into unions or united districts, with a view to economise cost and improve administration, had been partially adopted, at various times and in different places, (under the 9

Geo. I., c. 7, with reference to workhouses, under sundry local Acts, and to a certain extent under Gilbert's Act), before the passing of the Poor-Law Amendment Act of 1834; but the latter statute introduced the system generally, by conferring on the Poor Law Commissioners the power of forming unions of parishes throughout the country, according to the provisions of the Act.

The Commissioners, on forming any such union, are to ascertain the average annual expense incurred by each parish for the relief of the poor, in the three years next preceding the inquiry; and this average, until altered by the Commissioners on a similar investigation at any future time, is to constitute the scale according to which each parish in the union is to contribute to a common fund, for the following purposes:—First, for purchasing, building, or hiring, for altering or enlarging, and for upholding and maintaining, any workhouse or other place for the reception and relief of the poor; secondly, for purchasing or renting any lands or tenements under the Act; thirdly, for paying the several officers of the union; fourthly, for providing utensils and materials for setting the poor to work; and generally, for defraying any other expense incurred for the common benefit of the united parishes. The workhouse thus provided is devoted to the maintenance and employment of the poor of each parish in the union, in the same manner as if it belonged exclusively to each such parish; and the like rule holds as to the claims of the several parishes to the services of the paid officers. But it is expressly provided that "each of the said parishes shall be separately chargeable with, and liable to defray, the expense of its own poor, whether relieved in or out of any such workhouse." The union, therefore, merely facilitates the attainment of certain common instruments at a common expense; but does not alter or directly affect the liabilities of the respective parishes, as regards the burden of relieving their own poor.

These, then, are the principal districts marked out for the administration of the poor-laws; namely, parishes and townships separately bound to provide the funds for the support of their own poor; and unions of such parishes and townships,* formed by the Poor Law Commissioners, for the common management of those funds. It should be added, that the Commissioners may place any parish or township under the control of a separate board of guardians, without including it in any union.

The 43rd Eliz., c. 2, s. 1, requires the justices to appoint annually at Easter, four, three, or two substantial householders in every parish, who, together with the churchwardens, shall be the overseers of the poor. The office of overseer is compulsory, and unremunerated; but under Sturges Bourne's Act, (59 Geo. III., c. 12, s. 7,) paid assistant overseers may be appointed by the justices, on the nomination of the vestry; and, as already mentioned, the Poor Law Commissioners may authorize the Boards of Guardians to appoint paid collectors of the poor-rates. (7 and 8 Vict., c. 101.)

The managing body in a union is the Board of Guardians, who supersede the overseers in the administration of relief, and who are

* The Commissioners may also include in such unions any extra-parochial places which separately maintain their own poor.

elected annually by the owners of property and ratepayers in the several parishes comprised within the union. The Commissioners are to fix the number of guardians to be elected, assigning at least one to each parish; and to determine the qualification of such guardians, so that it shall consist in being rated to the poor-rate within the union on an annual rental not exceeding 40*l*. The Commissioners are also empowered to regulate the mode of conducting the election; which is to be determined by the votes of the owners and ratepayers, given according to a scale laid down in the 7 and 8 Vict. c. 101, s. 14. In addition to the elected guardians, the justices residing in the union and acting for the county, are entitled to act *ex officio* as members of the board.

The guardians, under the control of the Commissioners, may appoint such paid officers as are necessary; whose dismissal, however, is in the power of the Commissioners. The clerk to the guardians takes a leading position in the staff of union officers, as the more immediate organ of the board. The treasurer keeps the money of the guardians, and disburses it according to their orders. The relieving officers are entrusted with the duties of investigating the cases of applicants, reporting thereon to the guardians, supplying the relief ordered by the board, and in urgent cases affording immediate aid on their own responsibility. The chief duties of the medical officers are those connected with medical attendance upon the sick paupers, whether in or out of the workhouse. To the master and matron of the workhouse belong the superintendence of that establishment, under the direction of the guardians, and in accordance with the regulations of the Commissioners; and where a chaplain, schoolmaster and schoolmistress are appointed, the religious consolation of the inmates, and the education of the pauper children, are confided to their care. The porter at the workhouse, though a very subordinate, is by no means an unimportant officer.

Such is a brief outline of the general scheme of administrative machinery in unions and parishes under the Poor Law Amendment Act. In parishes not so governed, the modes of management are very various. The parishes under local Acts, and those under Gilbert's Act, compose, however, the greater number; in the remaining few the administration is still, for the most part, in the hands of the overseers, or perhaps of select vestries constituted under Sturges Bourne's Act.

It would be quite impracticable in this place to notice the various modifications of detail which exist in the numerous local Acts. It would seem, however, that those Acts, passed at different times, in unconnected localities, under dissimilar circumstances, had in view the same objects, of providing for the relief of the poor in workhouses, and of securing a better administration of the law, by substituting a Board of directors, guardians, or similar authorities, with paid subordinates, in lieu of the unpaid annual overseers. In some cases, these Acts apply to single parishes only; in others, they extend to incorporations, or unions of parishes formed under their provisions. It is important to observe that, in all such parishes or incorporations, the general law affecting the relief of the poor prevails in full force, except only in so

far as it is modified by the express terms of the particular local Act. By the 4 and 5 Will. IV., c. 76, s. 21, it is provided that all the powers and authorities given by such local Acts, with reference to workhouses, shall be exercised by the persons authorized by law to do so, under the control of the Poor Law Commissioners; and by s. 29, the Commissioners are empowered to ascertain the average annual expense incurred for the relief of the poor of any incorporation formed under a local Act, for the three years preceding the inquiry, and to fix the proportions of the future contributions of the several parishes to the common fund accordingly. The Commissioners may also direct the election of the guardians, or similar authorities, under any such Act, to be conducted according to the provisions of the 4 and 5 Will. IV., c. 76, and may issue regulations for the government of any workhouse established under any such Act (ss. 41 and 42). The 64th section of the 7 and 8 Vict., c. 101, contains some enactments for regulating the proceedings of guardians, &c. under local Acts, of which the principal one appears to be, that, in all matters concerning the relief of the poor, they shall act as a Board, and not individually; and it also introduces a proviso, which renders it necessary for the Commissioners to obtain the consent of two-thirds of the guardians, to enable them to include, in a union with other parishes, any parish governed under a local Act, and having a population of more than 20,000. It had been previously decided by the Courts, that the Commissioners had power to include any parish so governed, in union with others; though not to supersede a Board of Guardians, &c. constituted under any such Act, by another Board elected under their orders, in a single parish. The Commissioners may dissolve any incorporation formed under a local Act, with the consent of two-thirds of the guardians. The Commissioners have exercised the several powers just mentioned, with regard to many of the parishes and incorporations under local Acts; but there are some such parishes and incorporations with which they have interfered very little, if at all.

Any two or more parishes might adopt the provisions of Gilbert's Act (22 Geo. III., c. 83), by consent of two-thirds in number and value of the owners and occupiers; and upon the union being formally completed, the justices are to appoint annually, from persons nominated by the owners and occupiers, a guardian for each parish; who may receive a salary. These guardians supersede the overseers in the care and management of the poor; but the latter retain their powers and duties in respect to the assessment and collection of the poor rates. The justices may also appoint, on the nomination of the guardians, a supervising officer, termed a "Visitor;" who is invested with authority to superintend the workhouse, and to exercise a general control over the affairs of the union. The provisions of the Act might, moreover, be adopted by single parishes, so far as they were applicable. The principal provisions of this statute, as regards the relief of the poor, have already been adverted to, in sketching the history of the poor laws; it remains to add that the mistaken policy of confining the workhouse to the impotent poor was in some degree corrected by the Poor Law Amendment Act of 1834, which repealed (s. 31) so much of Gilbert's Act as limited the class or description of persons to be

sent to the workhouse. It is matter of question, also, whether the very exceptionable clause imposing upon the guardians the duty of finding private employment for the able-bodied, had not previously been repealed by the indirect operation of the 56 Geo. III., c. 129. The powers of control and interference possessed by the Poor Law Commissioners, with regard to parishes and unions under Gilbert's Act, are indicated in several sections of the 4 and 5 Will. IV., c. 76. By ss. 21 and 22, and s. 42, the Commissioners are empowered to interfere with relation to the workhouses; by s. 29, to take fresh averages, and re-adjust the proportions of the parochial contributions to the common funds accordingly; by s. 32, to dissolve any Gilbert Union, wholly or partially, with the consent of two-thirds of the guardians; and by s. 41, to regulate the mode of conducting the election of guardians. The 37th section, moreover, provides that no such union shall thereafter be formed without the Commissioners' consent.

Many of the Gilbert Unions have been dissolved under s. 32; but some are yet remaining. The Commissioners have been enabled to issue regulations to places under local Acts, because the constitution and powers of the Board of Guardians, or like authorities, are usually very similar to those of the guardians under the Poor Law Amendment Act. But the functions of the guardians under Gilbert's Act being such as to prevent their acting effectually as a Board (each guardian being merely an overseer under another name), it has apparently not been practicable for the Commissioners to deal with the Gilbert Unions as they have done with the Local Act Incorporations.

We have seen that, at the first institution of the poor laws, the power of control over the administrative officers was vested in the Justices of the Peace. Though their authority in these matters has been greatly curtailed by the Poor Law Amendment Act and subsequent statutes, they are still entrusted with some powers and duties, more or less important, according as they are judicial or ministerial. They may order relief granted to the aged and infirm, to be given out of the workhouse; they may require the overseers to afford necessary aid in urgent cases; they appoint the overseers and assistant overseers; they are required to signify their allowance of the poor rates, which are not valid without their confirmation; they decide the appeals against such rates; and in various cases, such as the removal of paupers and the levy of the rates, their warrants or orders are indispensable. In performing these functions, the justices sometimes act as individuals at their own residences; sometimes in districts or divisions of petty sessions, formed for convenience in transacting such business as requires the concurrence of two justices; and sometimes in quarter sessions.

Until lately, too, the justices were entrusted with authority to audit the overseers' accounts; but this power has been taken away from them by the 7 and 8 Vict., c. 101, wherever district auditors are appointed. Under that statute, the Poor Law Commissioners are empowered to form all Unions and parishes (except certain places having auditors under 1 and 2 Will. IV., c. 60, or under Local Acts) into districts for the audit of accounts; the auditor for each district to be elected by the votes of the chairman and vice-chairmen of the several Boards

of Guardians acting within it, or, as to places where there are no guardians, of two of the overseers. Ample powers are conferred upon the district auditors by the statute, both as to the audit of the accounts of the several unions and parish officers, and as to the recovery of the balances they may find to be due thereon; while, on the other hand, special provision is made for appeals against their decisions, either to the Poor Law Commissioners, or to the Court of Queen's Bench, at the option of the appellant. The statute further provides for a similar system of control, by means of district auditors, in the case of districts formed under the Act, for pauper schools, and for asylums for the houseless poor.

But the chief authority for exercising general control over the administration of the law, is the central Board of Poor Law Commissioners, constituted under the provisions of the Poor Law Amendment Act of 1834. The institution of this central superintending power may, perhaps, be deemed the most distinguishing feature of that important measure. The exaction of work from the able-bodied in return for relief, was a principle of administration as old as the statute of Elizabeth; the application of that principle by means of workhouses, dates at least from the reign of Charles the Second; even the plan of parochial Unions, managed by Boards of Guardians with paid officers, had been adopted long before; and in fact, it may be said that the only element really new, introduced into the administration of the poor laws by the Act of 1834, was that of central control.

Originally, when their powers were confined to England and Wales, the number of Poor Law Commissioners was limited to three; but afterwards, when the task of introducing the poor law into Ireland was entrusted to their care, the Crown was empowered to appoint a fourth Commissioner. They are appointed by warrant under the royal sign manual; and are removable at the pleasure of the Crown. To aid them in the discharge of their extensive duties, they are enabled to appoint, and remove at their discretion, nine Assistant Commissioners in England and Wales (and additional ones on special occasions), with the necessary staff of secretaries, clerks, and other officers. None of the Commissioners or Assistant Commissioners can sit as a member of the House of Commons while he holds his appointment. The duration of the Commission was in the first instance restricted to five years; but it was subsequently renewed by several temporary Acts, the last of which (5 and 6 Vict, c. 57,) authorised its continuance "until the 31st day of July, in the year 1847, and thenceforth until the end of the then next session of Parliament."

The Commissioners are appointed to direct and control the administration of relief to the poor, according to the laws in force at the time being. For this purpose, they are to sit as a Board, and two of them are sufficient to constitute a Board; and they may delegate, with the consent of one of the principal Secretaries of State, all their powers, except that of making general rules, to one alone.

They are invested with ample powers to make inquiries connected with the relief of the poor, and to compel answers and returns.

They are authorised to make and issue such rules, orders, and regulations, as they think fit, for carrying the law into execution; which

rules, &c., when issued in compliance with certain formalities, are valid, and remain in full force, unless and until they are quashed by the Court of Queen's Bench. Among other things, they may determine the kind and quantity of relief to be given to the various classes of poor, especially the able-bodied, (though they are expressly restrained from ordering relief in any individual case); they may regulate the apprenticeship and education of pauper children; they may form, dissolve, and reconstruct unions of parishes; they may issue orders for providing, and establish rules for governing workhouses; they may determine the qualifications and regulate the election of guardians; they may direct the appointment, and order the dismissal, of paid officers subordinate to the Boards of Guardians; they may authorise new valuations of the rateable property to be made in parishes requiring that advantage; they may regulate the keeping and auditing of the union and parish accounts; and generally, they may control all guardians, overseers, and other persons exercising any powers in any way relating to the relief of the poor. Their summonses and orders are enforced by penalties provided in case of neglect or disobedience.

For the due exercise of these extensive powers of inquiry, control, and subordinate legislation, the Commissioners are immediately responsible to the Crown; and of course, indirectly, to parliament. Their general rules and orders (*i. e.* rules and orders applicable to several unions, or to several parishes not in union and not to be united by virtue of such orders,) must be sent to one of the Principal Secretaries of State forty days before they take effect; and may, at any time, be disallowed by Her Majesty, with the advice of the Privy Council. And all such rules and orders must be laid before parliament, within one week after the commencement of the session. The Commissioners are likewise bound to give to the Secretary of State, such information respecting their proceedings, or any part of them, as he may from time to time require. They are also directed to make a record of their proceedings, which shall be submitted to the Secretary of State once in every year, or as often as he shall require the same; and they are further to submit to him, once in every year, a general report of their proceedings, which must be forthwith laid by him before both houses of parliament.

The Commissioners, moreover, are subject to the control of the Court of Queen's Bench, in the matter of the rules, orders, and regulations, which they are authorised to make and issue. These rules, &c., cannot be removed into any other Court; and, as mentioned above, they remain in force until declared illegal by the Queen's Bench, and afford a protection to persons acting under them, until such persons are apprised of their having been so quashed.

The Court of Queen's Bench, it may be further stated, has control over all officers, by means of its writs of *mandamus* and *quo warranto;* by which it can compel the specific performance of duties by officers, or restrain them when they usurp authority. It also obtains jurisdiction in cases before the justices at Quarter Sessions, by means of its writ of *certiorari*, which directs the inferior Court to remove any matter in contest into the superior Court; and also by means of the statement of special cases, where the Court of Quarter Sessions may

desire to obtain the opinion of the Court of Queen's Bench on any points of law, as to which a reasonable doubt is entertained; special verdicts have the same effect. All officers are likewise subject to private action, where any special damage is done to an individual by the improper execution of their office; and also to indictment for misdemeanour, in case of neglect or misfeasance in regard to their official duties. Overseers are thus punishable both for neglecting to give relief where it is necessary, and for giving it where it is unnecessary.

Having now described, as briefly as appeared to be practicable with respect to so complex a matter, the series of changes which have resulted in the existing system of poor law administration, as well as the outline of that system itself, we will proceed to notice the operation of the system as modified by the Poor Law Amendment Act of 1834.

Amended System of 1834.

The 4 and 5 Will. IV., c. 76, was passed on the 14th August, 1834; and the first Poor Law Commissioners were appointed under its provisions on the 18th of the same month. The amended system, therefore, has now been in operation upwards of 12 years; and during that time, has been the constant object of public attention, has been discussed and examined in almost every possible point of view, has been attacked and defended in all available modes, in public meetings, in Parliament, and in the press; and perhaps no scheme of social economy, affecting so many interests, has ever been more strictly watched, or more severely tried. We do not propose to enter on the wide field of investigation, which an inquiry into its merits would present; but rather, to recapitulate briefly the more noticeable points of the history of its operation, as indicated in the annual and other reports and publications of the Poor Law Commissioners, in parliamentary documents, and other sources of information.

The earlier labours of the Commissioners were naturally directed to the judicious introduction of the new measure, gradually, but at the same time as quickly as the nature of the case would admit of. The establishment of workhouses, and the formation of parochial unions, speedily engaged their attention; impressed, as they appear to have been, with a conviction of the advantages of management on a large scale, as well as of the obvious economy of providing workhouses for extensive districts, rather than for small ones. (Some of the unions have since been thought to be in some respects too large; and the 5 and 6 Vict., c. 57, s. 7, was passed with a view to obviate any inconveniences that might arise upon that score, by enabling the Board of Guardians, in any such case, to divide itself into district relief committees. Under a more recent Act, (7 and 8 Vict., c. 101, s. 66,) the Commissioners are empowered to diminish, or increase, the number of parishes in any union, as they think fit. Within three years after the appointment of the Commission, a very large proportion of the entire country had been brought under the operation of the measure; and the only exceptions at the present time are those of parishes and incorporations which have not been dissolved under Gilbert's Act, or local Acts, and some few parishes which it has not yet been found

practicable to include in any union. In some instances, principally those of the incorporated hundreds in Norfolk and Suffolk where the previous management was very similar to that introduced generally by the Poor Law Amendment Act, the Commissioners have issued their usual rules for the government of the workhouses, the regulation of relief, and so forth; and the only material difference between such places, and unions constituted by the Commissioners, consists simply in the mode in which the guardians or directors are elected or appointed. They may be considered as virtually on the same footing with unions formed under the Poor Law Amendment Act. The following statement exhibits the numbers of unions and parishes under these various modes of management, at the 1st of October, 1846 :—

	Number of Unions, &c.	Number of Parishes comprised therein.
Unions, Incorporations, and single Parishes having separate Boards of Guardians, acting under the Commissioners' regulations . . .	595	13,898
Incorporations and single Parishes, under local Acts, with which the Commissioners have interfered little, if at all	31	234
Unions, and single Parishes under Gilbert's Act	17	254
Other Parishes and places	..	211
Total	..	14,597

The constitution of the Boards of Guardians was the next important point which it became necessary for the Commissioners to deal with. They laid down some regulations as to the mode of conducting the elections of the guardians; under which the votes of the electors were to be given in papers prepared for the purpose, and collected separately at their houses. The duty of conducting the elections was confided, at first, to the overseers of the several parishes; but it has since been entrusted, with great advantage, to the clerks of the unions.

Every Board of Guardians, under the regulations of the Commissioners, elects its own Chairman and Vice-Chairman for the year; and by the 7 and 8 Vict., c. 101, s. 64, the several Boards constituted under local Acts are required to do so likewise. The Guardians usually meet once a-week for the performance of their duties; though in some few cases fortnightly meetings have been found to be sufficient. The total number of Guardians acting under the Commissioners' orders, and the average number in each union or single parish, are as follows :—

Number of Unions and Single Parishes.	Number of Guardians.		Average Number for each Union or Single Parish.
595	Elected . . .	17,165	28·8
	Ex-officio . . .	4,339	7·3
	Total . . .	21,504	36·1

The Guardians are unpaid; but their officers receive such remuneration as the Commissioners may approve.

The following statement shows the total number of each class of paid officers in the unions and parishes under the regulations of the Commissioners, with the total amount of their salaries. (*Vide the Commissioners' Twelfth Annual Report*):—

Return showing the Number of Officers of each Class employed in 591 *Unions in England and Wales, with the Amounts paid to them in fixed Salaries, for the Year* 1844–45.

Description of Officers.	Number.	Salaries.	Description of Officers.	Number.	Salaries.
		£.			£.
Clerks	590	59,431	Collectors or Assistant Overseers	499	23,026
Chaplains	415	19,140	Treasurers	52	973
Medical Officers	2,680	124,532	Other Officers	264	7,747
Relieving Officers	1,257	103,881			
Masters and Matrons	1,238	44,369			
Schoolmasters	284	7,423	Total	8,240	406,968
Schoolmistresses	423	7,009	District Auditors	50	12,933
Porters	347	6,340			
Nurses	171	2,161	Total, inclusive of Auditors	8,290	419,901
Taskmasters	20	936			

Note.—Officers that are not paid by *fixed* salaries are excluded; also Assistant Overseers and Collectors not appointed under the Board's orders.

*** The salary of the district Auditors includes remuneration for some parishes not in union.

Serious difficulties encountered the Commissioners almost at the outset, in regard to the arrangements for affording medical relief; and some years elapsed before they were able to satisfy the medical profession generally, either as to the persons who were to be considered as entitled to attend the paupers under the terms of the statute, or as to the mode and amount of remuneration to be allowed for that important duty. In March, 1842, however, the Commissioners issued a general order relating to medical relief, apparently having for its object the preservation of a due regard alike for the claims of the sick poor, and for the interests of the profession. This order seems to have removed the principal difficulties that beset the earlier arrangements with respect to this matter.

The keeping and auditing of the accounts of the union and parish officers is manifestly a subject of much practical importance; and at an early stage of their proceedings, the Commissioners prepared an extremely full and well-arranged system of books and forms to be used by those officers generally; thus securing uniformity as well as completeness in both the financial and statistical information registered by them. The Commissioners likewise required the Guardians of each union to appoint an auditor; but, although the auditors so appointed proved of great utility in checking improper expenditure and preventing other irregularities, there were certain defects necessarily incident to the then state of things, which rendered some alterations desirable. Thus the justices still retained their authority to examine and allow the overseers' accounts; and hence, collisions very frequently occurred between the justices and the auditors, with respect to items in those accounts, and the balances due thereon. In 1844, the 7 and 8 Vict. c. 101, empowered the Commissioners to form audit districts, as already noticed; and relieved the justices from the duty of investigating any accounts audited by the district auditors. The Commissioners, immediately on the passing of this statute, proceeded to mark out the country into districts accord-

ingly; and great advantage has already been found to result from the plan thus adopted, of gaining for each union the services of a higher class of officers, who bring to bear the skill and experience derived from acquaintance with the working of the law in extensive localities.

During the last session of Parliament, the House of Commons introduced a new and important principle in regard to the incidence of the charges connected with the relief of the poor, by voting certain sums, to be paid out of the public revenue, in aid of the salaries of the medical officers, district auditors, and schoolmasters and schoolmistresses in workhouses, for the half year ending 31st March, 1837, viz. :—

	£.
Auditors	6,500
Medical Officers . .	35,000
Teachers	15,000
	56,500

The mode of providing the unions with workhouses, the plans for their structure and internal arrangements, and other details of a similar character connected with these points, claimed early notice. The Commissioners, however, appear to have deemed it advisable to leave a considerable latitude to the discretion of the Guardians on matters of this kind, dependent as they must be, to a great extent, upon local considerations; exercising, nevertheless, a watchful control over every step in the proceedings. The regulation of the internal management of the workhouses necessarily demanded attention as soon as those establishments were ready for occupation. The classification of the inmates, so as not only to preserve general decency and order, but to secure the comfort and consult the welfare of the several descriptions of paupers; the regulation of their diet, so as to attain the double object of furnishing enough for all, adapted to the different wants of each, and at the same time of observing a due relation, both in kind and in quality, to the ordinary food of the independent labourers of the neighbourhood; the provision of religious consolation and instruction, without interfering unduly with the conscientious views or feelings of any individual; the education of the pauper children; the care of the sick; the employment of the able-bodied; these, and a number of other points, called for prompt and yet cautious action on the part of the central authorities. The Commissioners accordingly issued detailed regulations on this subject to the several unions as they were successively formed; and, aided by the wide and minute experience obtained from the practical working of those orders, they framed a set of general rules, which were issued in February, 1842, to most of the unions and separate parishes throughout the country possessed of effective workhouses.

Connected with this subject is the sale of the old workhouses and other property belonging to the several parishes, which has been conducted under the directions of the Commissioners, and has occupied much of their attention. The proceeds of the sale may be applied, at the Commissioners' discretion, to the discharge of outstanding claims against the parish, or in payment of the proportion chargeable on the parish for the cost of the new workhouse, or towards any object

of permanent benefit to the parish, such, for instance, as the building of a schoolhouse.

The first regulations as to relief, issued by the Commissioners to the Boards of Guardians, before the requisite workhouses were provided, were confined to a gradual substitution of relief in kind for relief in money, and the control of out-door relief in certain other particulars; and to the discontinuance of non-resident relief to the able-bodied. But as effective workhouses successively came into existence, more stringent regulations were promulgated, narrowing the range of non-resident and out-door relief. The general orders relating to these subjects, issued by the Commissioners on 31st December, 1844, while they prohibit, as a general rule, relief out of the workhouse to able-bodied applicants, nevertheless admit of the allowance of such relief, both within and out of the union, in several classes of cases. The subjoined tabular statements, taken from the Commissioners' Twelfth Annual Report, will throw much light on the actual practice with regard to the relief of the able-bodied, and other paupers, both in and out of the workhouse:—

Expenditure of 585 *Unions and Parishes under Boards of Guardians.*

Years ended Lady-day.	In-Maintenance.	Out-Relief.	Establishment Charges and Salaries.	Workhouse Loan Repaid.	Other Charges connected with Relief to the Poor.	Total Expenditure for Relief, &c. to the Poor.	Rates per Head of Total on Population.
	£.	£.	£.	£.	£.	£.	s. d.
1844	705,253	2,726,451	748,985	183,898	5,584	4,370,171	6 5¼
1845	714,583	2,767,903	750,372	177,603	6,572	4,416,973	6 6¼
Increase .	9,270	41,452	1,387	..	988	46,802	0 1¼
Decrease .	..	..	..	6,295	..	..	..

Comparative Statement of the Number of In-door and Out-door Paupers relieved in England and Wales during each of the Quarters ended Lady-day, 1844 *and* 1845.

Quarters ended Lady-day.	Number of Paupers Relieved.			Rates per Cent. of Total Number of Paupers on Population in 1841.
	In-door.	Out-door.	Total.	
1844	230,818	1,246,743	1,477,561	9·3
1845	215,325	1,255,645	1,470,970	9·2
Decrease .	15,493	..	6,591	0·1
Increase .	..	8,902	..	..

Population in 1841 . . . 15,906,741

Note.—An estimate is made of the number of Paupers relieved in places not in Union, and included in the above Totals.

Summary of Returns, showing the Number of Paupers relieved in England and Wales during the Quarters ended at Lady-day, 1840, 1841, 1842, 1843, 1844, *and* 1845; *with the Proportions per Cent. which the Numbers of In-door and Out-door Paupers relieved bear to the Total Number.*

Quarters ended Lady-day.	Number of Paupers Relieved.				
	In-door.	Proportions per Cent. to Total.	Out-door.	Proportions per Cent. to Total.	Total In-door and Out-door.
1840	169,232	14	1,030,297	86	1,199,529
1841	192,106	15	1,106,942	85	1,299,048
1842	222,642	16	1,204,545	84	1,427,187
1843	238,560	15	1,300,930	85	1,539,490
1844	230,818	16	1,246,743	84	1,477,561
1845	215,325	15	1,255,645	85	1,470,970

Note.—An estimate is made for those places not under the provisions of the Poor Law Amendment Act.

Comparative Statement of the Number of Able-bodied Paupers relieved in England and Wales during each of the Quarters ended Lady-day, 1844 *and* 1845.

Quarters ended Lady-day.	In-door.			Out-door.			Total In-door and Out-door.
	On Account of Temporary Sickness or Accident.	All other Causes, including Vagrants.	Total In-door.	On Account of Temporary Sickness or Accident.	All other Causes, including Vagrants.	Total Out-door.	
1844	11,458	86,327	97,785	158,280	175,419	333,699	431,484
1845	11,406	76,199	87,605	167,234	165,044	332,278	419,883
Increase per Cent.	..	..	..	5·7	..	..	..
Decrease per Cent.	0·5	11·7	10·4	..	5·9	0·4	2·7

Note.—An estimate is made for places not in Union under the Poor Law Amendment Act. The above results are obtained from the Union Quarterly Abstracts.

These tables show that, notwithstanding the general introduction of workhouses, and the general adoption of workhouse relief where it is deemed applicable, there is still a large mass of pauperism, to which it has hitherto been found either unadvisable or impracticable to apply that mode of relief. The cost of the out-door relief is nearly four times as much as that of the in-door maintenance; and constitutes more than half the total expenditure connected with relief. The number of out-door paupers bears to the total number of paupers relieved, a proportion of about 85 per cent.; and nearly one-fourth of the number of out-door paupers consists of the able-bodied.

The attention of the Commissioners appears to have been first prominently drawn to the difficulties connected with the relief of vagrants and other casual poor, in 1837; and as the operation of the Poor-Law Amendment Act was retarded, those difficulties appear to have been rather increased than diminished. The unfitness of the ordinary workhouses for the reception and relief of this class of paupers, at least in the metropolis and other large towns, became continually more apparent. The indisposition sometimes shown by the workhouse officers to admit vagrants at unseasonable hours, when brought by the police or otherwise; their disorderly conduct when admitted; the risk of their introducing into the establishment contagious or infectious disorders; these, and similar inconveniences, noticed by the Commissioners from time to time, suggested the expediency of instituting separate asylums for this class of paupers. In 1844, the establishment of such asylums was authorised by the 7 and 8 Vict. c. 101; but, as already mentioned, the active execution of the statute in this respect is for the present suspended.

The Act of 1834, though it substituted the guardians for the overseers as regards the distribution of relief, left the assessment and collection of the poor-rates in the hands of the latter. The Parochial Assessments Act, 6 and 7 Will. IV., c. 96, (passed in 1836,) empowered the Commissioners to order new valuations to be made of the rateable property in any parish, on its necessity being represented to them by the guardians or the overseers. Orders of this kind have been issued in upwards of 5,000 cases; but unfortunately the valuations, when made, are not binding on the overseers, and often therefore prove as useless as they are expensive. The Commissioners have devoted much attention to the law of rating, and have extended their inquiries to the various other rates, the assessing and levying of which are intimately associated with the poor-rates.* It is manifest that much sim-

* See their Report on Local Taxation, 1843; and a treatise on "The Local Taxes of the United Kingdom," published under their direction in 1846.

plification and improvement might be advantageously introduced into this department of the law.

Some beneficial alterations were made by the 4 and 5 Will. IV., c. 76, in the law relating to the settlement and removal of paupers; and the general operation of that Act has tended, in various ways, greatly to reduce the number of such removals, the expenses incurred in connexion with them, and the amount of litigation attendant upon them. Among other causes, the existence of the Union machinery, and the readily-accessible advice of the Poor Law Commissioners on points of legal or practical difficulty, have largely aided in promoting this result. It appears that in 1834 the number of appeals against orders of removal entered at sessions was 2407; the number actually adjudicated, 1438; in 1835 the numbers entered and adjudicated were respectively 1085 and 793; and in 1841 the number adjudicated in 485 Unions was 575, from which the number for the whole country may be estimated at 805. The sum expended from the poor rates for law charges (the greater part being connected with settlements and removals) amounted to 258,604*l.* in 1834; while in 1844 it was only 105,304*l.* The Act of last session, 9 and 10 Vict., c. 66, will probably have the effect of further diminishing the number of removals, and of course the expenditure arising out of them.

In turning their earnest attention to the important subject of the education of pauper children, the Commissioners appear to have been at an early period convinced of the expediency of establishing district schools for such children. The unfitness of the ordinary workhouses, as engendering habits of pauperism and diffusing moral contamination among the younger inmates; and the impracticability in most cases of obtaining efficient schoolmasters and mistresses at the remuneration which the guardians of separate unions or parishes may be disposed to give, will readily be recognized as influential arguments in favour of district establishments for the training of pauper children. In accordance with these views, the Commissioners took advantage of the existence of Mr. Aubin's establishment at Norwood, for "farming" poor children belonging to the London parishes, under the 7 Geo. III., c. 39; and devoted especial care to the improvement of its general management and detailed arrangements, so as to render it, as far as it might be capable of becoming so, an exemplary institution of the kind, and to a certain extent also a normal school for the training of persons designing to become teachers in workhouses.* It has been mentioned that in 1844 the Legislature authorized the establishment of district schools, under certain enactments in the 7 and 8 Vict., c. 101; but the limitations, by which the proceedings to be taken under the statute were surrounded, have unfortunately operated to prevent the attainment of its objects, and nothing has been done in consequence.

In addition to the various matters, directly connected with the relief of the poor, which fall within the province of the Commissioners, there are certain other subjects, having a collateral bearing on the more immediate object of the Poor Laws, with which the Commissioners have been more or less concerned.

* It would not be right to quit this subject without making honourable mention of the training school established at Battersea by Dr. Kay (now Mr. Kay Shuttleworth) and Mr. Tufnell, in furtherance of similar objects; for an account of which see the Commissioners' Report on the Training of Pauper Children, 1840.

The 62nd section of the 4 and 5 Will. IV., c. 76, enables the owners of property and rate-payers in any parish to raise money on the security of the poor rates, for aiding, under the orders of the Commissioners, the emigration of poor persons settled in such parish. The Commissioners have been much occupied with the control and management of such emigration.*

Those circumstances in the habits, the modes of living, and the general condition of the poorer classes, which in their immediate or ultimate consequences lead to destitution, and thence to pauperism, have obviously a very near relation to the administration of relief. Among the foremost of those circumstances are the state of the dwellings of the poor, and the physical condition of the surrounding neighbourhood, in regard to ventilation, drainage, and other similar points; the neglect of which so frequently results, especially in crowded and unfavourable districts, in the spread of fever and other diseases, and the consequent increase of destitution. The notice of the Commissioners was especially called to this subject, in 1838, with reference to the poor and densely-peopled parts of the metropolis; and in the following year they received instructions from Lord John Russell (then Secretary of State for the Home Department) to institute inquiries throughout England and Wales (which inquiries were afterwards extended to Scotland) as to the extent to which such causes of disease prevailed. On the 9th July, 1842, they presented a report of the results of their inquiries, prepared, under their direction, by their secretary, Mr. Chadwick. It is unnecessary in this place to enlarge upon the importance of an investigation, the subject of which has since attracted a large share of public attention; though we may express a hope that it will eventually lead to the adoption of measures fitted to remove the sources of suffering amongst the poor, in so far as that suffering springs from physical conditions which parliament may be able to modify or control. The Act of last session, 9 and 10 Vict., c. 96, which provides for the prompt removal of certain nuisances, at the cost of the poor rates, is a step in the right direction.

In the year 1840, an Act (3 and 4 Vict. c. 29) was passed, "to extend the practice of vaccination;" which enables the guardians, or where there are no guardians, the overseers, to contract, under the regulations of the Commissioners, with their medical officers or other medical practitioners, for the vaccination of all persons resident in their unions or parishes respectively; and the 4 and 5 Vict. c. 32, expressly provides for the payment of the expenses from the poor rates. The provisions of these statutes have been carried into effect by the guardians and overseers, under the superintendence of the Commissioners, throughout the country, with the exception of very few places. The total amount paid to the vaccinators during the year ended 25th March, 1845, was 25,905*l.*; the numbers vaccinated in the years ended respectively, 29th September, 1844 and 1845, are set forth in the table subjoined:—

* It may be mentioned also that, at one time, the Commissioners gave their aid in facilitating the migration of labourers from parts of the country which appeared to be overstocked to districts (chiefly manufacturing) where a demand for additional hands prevailed.

Years.	Number of Unions and Parishes.	Number of Persons Vaccinated.	Number of Persons successfully Vaccinated.	Number of Registered Births.	Ratio of Persons Vaccinated to the Number of Births.	Ratio of Persons successfully Vaccinated to the Number of Births.
1844	548	290,453	278,192	452,235	100 in 156	100 in 163
1845	560	362,087	347,765	486,632	100 in 134	100 in 140

The Acts for the registration of births, deaths, and marriages, are to a certain extent carried into effect by means of the poor law administrative machinery, and the local expenses are defrayed from the poor rates; but as they do not otherwise affect the subject matter of the present treatise, they need not be further adverted to.

From this hasty review, some notion may be formed of the multiplicity, variety, and importance of the objects which come within the scope of poor law administration; of the duties devolving upon the numerous body of officers, paid and unpaid, who are entrusted with the actual execution of the law; and of the powers and functions of that central authority, which stands between the legislature and the local administrators, to secure the more effectual attainment of the objects contemplated by the former, and to control, direct, and guide, with the light of their larger experience, the arduous labours of the latter.

Having thus briefly noticed what has been done in carrying out the amended system, it may be expected that we should allude to the effects it has produced. But the consequences, direct and indirect, immediate and remote, of so large and complex a measure, are not easily estimated; especially when the very principles of that measure, and its consequences too, are not merely matters of opinion, but of sentiment as well. We shall therefore content ourselves with laying before the reader, such statistical data as may help him to form his own conclusions upon this interesting problem; observing simply, that we cannot conceive any one to be now desirous of returning to the abuses of the old system, whatever may be his opinion of either the theory or the practice of the existing mode of administration.

The following table presents a statement, showing the total amount levied by way of poor rate in England and Wales, and expended under the specified heads, in each year, from the earliest period for which authentic Parliamentary Returns have been received, to the year 1823, inclusive:—

Years ended Lady-day.	Total Money Levied for Poor Rates and County Rates.	Expended for the Relief and Maintenance of the Poor.	Expended in Law, Removals, &c.	Expended for County Rate.	Expended for all other Purposes.	Total Parochial Rates Expended.	Rates per Cent. of Increase or Decrease on Expenditure for Relief, &c. to the Poor in each Year compared with the preceding.		Average Prices of Wheat per Quarter.
							Increase.	Decrease.	
	£.	£.	£.	£.	£.	£.			s. d.
1803	5,348,205	4,077,891	196,672	273,450	760,615	5,302,068	..	..	64 8
1813	8,646,841	6,656,106	324,257	547,642	1,313,305	8,841,410	..	..	106 9
1814	8,386,974	6,294,581	332,063	524,689	1,356,128	8,508,661	..	5	73 11
1815	7,457,676	5,438,846	324,596	572,544	1,169,562	7,505,548	..	14	64 4
1816	6,937,423	5,721,339	..	559,000	654,991	6,938,910	6	..	75 10
1817	8,122,418	6,910,925	..	570,000	689,640	8,121,645	21	..	94 9
1818*	9,320,440	7,879,801	..	657,776	774,556	9,303,133	14	..	84 1
1819	8,832,135	7,516,704	..	663,555	745,350	8,925,609	..	4	73 0
1820	8,719,655	7,330,254	..	678,723	663,935	8,672,912	..	3	65 7
1821	8,411,893	6,959,251	..	652,816	723,624	8,335,119	..	5	54 5
1822	7,761,441	6,358,704	..	595,816	741,217	7,695,237	..	9	43 3
1823	6,898,153	5,772,502	..	579,006	589,724	6,921,192	..	9	51 9

* The year when the expenditure was at the highest.

Below is subjoined a—

Comparative Statement of the Amount of Money Levied and Expended in England and Wales during the Eleven Years prior and the Eleven Years subsequent to the passing of the Poor Law Amendment Act.

ELEVEN YEARS BEFORE THE PASSING OF THE POOR LAW AMENDMENT ACT.

Years ended Lady-day.	Total Amount of Money Levied.	Expended in Relief and Maintenance of the Poor.*	Law Charges, Removals, &c.	County Rate.	All other Purposes.	Total Parochial Rates Expended.	Rates per Cent. of Increase or Decrease on Amount Expended in Relief, &c., to the Poor in each Year compared with the preceding. Increase.	Decrease.	Average Price of Wheat per Quarter.
	£.	£.	£.	£.	£.	£.			s. d.
1824	6,936,505	5,736,900	..	509,395	538,203	6,874,498	..	1	62 0
1825	6,972,323	5,786,989	..	663,644	548,555	6,999,188	1	..	66 6
1826	6,965,051	5,928,502	..	743,111	503,034	7,174,647	2	..	53 9
1827	7,784,352	6,441,088	..	762,187	600,191	7,803,466	9	..	56 9
1828	7,715,055	6,298,000	..	721,308	651,125	7,670,433	..	2	60 5
1829	7,642,171	6,332,410	..	714,308	566,021	7,612,739	1	..	66 3
1830	8,111,422	6,929,042	..	726,800	605,439	8,161,281	8	..	62 10
1831	8,279,218	6,798,889	..	772,966	767,232	8,339,087	..	..	67 8
1832	8,622,921	7,036,969	..	799,414	847,079	8,683,462	4	..	63 4
1833	8,506,501	6,790,800	254,412	745,270	949,400	8,739,982	..	4	57 3
1834	8,338,079	6,317,255	258,604	691,548	1,021,941	8,289,348	..	7	51 11

ELEVEN YEARS SINCE THE PASSING OF THE POOR LAW AMENDMENT ACT.

1835	7,373,807	5,526,418	202,527	705,711	935,362	7,370,018	..	13	44 2
1836	6,354,538	4,717,630	172,432	699,845	823,213	6,418,120	..	15	39 5
1837†	5,294,566	4,044,741	126,951	604,203	637,043	5,412,938	..	14	52 6
1838	5,186,389	4,125,604	93,982	691,842	569,271‡	5,468,699	2	..	55 3
1839	5,613,938	4,406,607 }	63,412§	741,447	602,855	5,914,591	7	..	69 4
1840	6,014,605	4,576,965	67,020	855,552	567,889	6,067,426	3	..	68 6
1841	6,351,828	4,760,929	69,942 }	1,026,035	636,266‖	6,493,172	4	..	65 3
1842	6,552,890	4,911,498	68,051	1,230,718	501,504	6,711,771	3	..	64 0
1843	7,085,595	5,208,027	84,730	1,295,616	446,748	7,035,121	6	..	54 4
1844	6,847,205	4,976,093	105,304	1,356,457	462,265	6,900,117	..	..	51 5
1845	6,791,006	5,039,703	95,397	1,279,962	442,340	6,857,402	1	..	49 2

* Under this head is included In-door and Out-door Relief, Establishment Charges, and, since the passing of the Poor Law Amendment Act, in addition thereto, Building and Emigration Loans repaid, and Interest on Money borrowed under Poor Law Amendment Act.

† The year in which the expenditure for relief, &c., to the poor was at the minimum.

‡ Including in this and the following years expenses incurred under the Registration and Parochial Assessment Acts.

§ In this and the following years the expense incurred in removal of paupers is included under the head of "Other Purposes."

‖ Including in this and subsequent years expenses incurred under the Vaccination Extension Act.

Total Amount of Money Levied and Expended under the following heads in England and Wales during the Eleven Years prior and the Eleven Years subsequent to the passing of the Poor Law Amendment Act.

Years.	Amount of Money Levied.	Amount of Money Expended in Relief of Poor.	Expenditure in Law Charges, Removals, &c.	Expenditure for County Rate.	Expended for all other Purposes.	Total Parochial Rates Expended.
	£.	£.	£.	£.	£.	£.
1824 to 1834 . . .	85,873,597	70,296,944	513,016*	7,989,751	7,598,220	86,348,031
1835 to 1845 . . .	69,466,367	52,292,515	1,149,749	10,477,348	6,624,754	70,544,365
Decrease	16,407,230	18,004,329	..	..	973,466	15,803,666
Increase	..	..	..	2,537,397	..	..

* Total of two years only.

Note.—The amount expended for law charges, &c., was not distinguished until 1839, previous to which time the expenditure under that head was included partly with relief, &c., to the poor, and partly under the head of other purposes.

The statement previously given (*ante*, p. 424) in the article on Local Taxation, furnishes an indication of the proportions in which the burden of the poor rates falls upon different classes of property.

The tables which follow, will show the amount of pauperism at present prevailing in the country, together with the proportions of the various classes of paupers.

No. 1.

Counties,	Population in 1841.	Number of Paupers relieved in 585 Unions. Quarters ended at Lady-day. 1844 In-door.	1844 Out-door.	1844 Total.	1845 In-door.	1845 Out-door.	1845 Total.	Proportions per Cent. of Total Number of Paupers relieved to Population, in 1841.
ENGLAND.								
Bedford	112,379	2,190	11,028	13,218	1,994	11,633	13,627	12·1
Berks	190,367	4,821	16,177	20,998	4,280	17,560	21,840	11·5
Buckingham	140,352	3,133	16,346	19,479	2,938	17,650	20,588	14·7
Cambridge	171,848	4,197	16,103	20,305	4,200	17,444	21,644	12·6
Chester	871,331	2,332	21,752	24,084	1,977	20,815	22,792	6·1
Cornwall	340,728	2,769	19,572	22,361	2,974	19,738	22,712	6·7
Cumberland	177,912	2,149	9,208	11,357	1,820	9,288	11,108	6·2
Derby	220,028	1,614	9,727	11,341	1,333	8,573	9,906	4·5
Devon	430,221	4,632	35,567	40,199	5,025	37,450	42,4 5	9·9
Dorset	167,874	2,313	19,935	22,248	2,392	21,518	23,910	14·2
Durham	325,997	2,181	24,430	26,611	1,426	19,666	21,092	6·5
Essex	320,818	9,075	35,524	44,599	8,037	37,202	45,239	14·1
Gloucester	330,562	4,253	25,442	29,700	4,761	27,196	31,957	9·7
Hereford	110,673	1,424	8,995	10,419	1,443	9,556	10,999	9·9
Hertford	176,173	4,607	14,585	19,192	3,925	15,979	19,904	11·3
Huntingdon	55,573	777	4,832	5,609	625	5,460	6,285	11·3
Kent	584,842	10,525	39,588	50,113	10,640	39,334	49,974	9·3
Lancaster	1,207,802	9,892	85,747	95,689	8,739	72,905	81,644	6·8
Leicester	220,232	4,004	20,103	24,107	3,341	22,436	25,777	11·6
Lincoln	356,347	5,429	21,234	26,663	4,631	22,985	27,596	7·7
Middlesex	841,402	21,478	47,101	68,579	19,208	51,416	70,624	8·4
Monmouth	150,222	1,148	8,266	9,414	1,007	8,076	9,143	6·1
Norfolk	343,277	8,105	33,150	41,255	7,845	34,316	42,161	12·3
Northampton	197,197	2,963	18,988	21,951	2,904	19,772	22,676	11·5
Northumberland	265,988	2,370	22,030	24,400	1,884	19,558	21,442	8·1
Nottingham	270,719	2,926	15,645	18,571	2,527	14,140	16,667	6·1
Oxford	141,330	2,763	16,462	19,245	2,070	19,076	22,046	15·6
Rutland	23,150	521	1,701	2,222	484	1,791	2,275	9·8
Salop	191,052	3,932	13,272	17,204	3,737	13,862	17,599	9·2
Somerset	454,446	6,643	46,367	53,010	6,791	49,470	56,261	12·4
Southampton	231,866	5,037	25,403	30,440	5,166	26,433	31,599	11·8
Stafford	442,348	6,225	24,201	30,426	4,590	21,928	26,513	6·0
Suffolk	314,722	6,474	34,266	40,740	6,480	37,427	43,857	13·9
Surrey	512,580	10,582	30,586	41,170	8,992	33,388	43,380	8·5
Sussex	223,435	5,402	24,217	29,619	5,312	25,715	31,027	13·9
Warwick	220,029	2,116	13,307	15,503	2,627	14,622	17,249	7·8
Westmoreland	56,469	794	5,429	6,223	702	4,629	5,331	9·4
Wilts	233,246	5,699	30,551	36,250	5,389	30,907	36,296	15·6
Worcester	336,108	3,568	23,787	27,355	3,336	23,885	27,221	8·1
York East Riding	160,218	1,582	13,710	15,292	1,392	12,988	14,380	8·0
York North Riding	180,527	2,053	12,909	14,962	1,612	12,142	13,754	7·6
York West Riding	790,751	4,789	54,188	58,977	3,810	47,566	51,376	6·5
Total	12,569,303	189,590	971,450	1,161,040	176,476	977,370	1,153,846	9·2
WALES.								
Anglesey	38,105	..	5,573	5,573	..	5,738	5,738	15·1
Brecon	55,399	527	5,075	5,602	514	5,093	5,607	10·3
Cardigan	75,136	225	6,375	6,600	413	7,040	7,453	9·9
Caermarthen	110,404	1,249	8,969	10,218	1,016	8,993	10,009	9·1
Caernarvon	86,728	133	9,368	9,501	155	10,159	10,313	11·9
Denbigh	68,483	550	7,113	7,663	516	6,942	7,508	11·0
Flint	64,355	375	5,159	5,534	519	5,393	5,912	9·2
Glamorgan	178,041	1,206	12,591	13,797	960	11,783	12,743	7·2
Merioneth	50,696	205	6,218	6,423	233	5,821	6,054	11·9
Montgomery	58,709	513	8,653	9,166	550	8,528	9,078	15·5
Pembroke	78,568	532	5,543	6,0 5	609	6,535	7,144	9·1
Radnor	19,554	95	2,375	2,470	105	2,597	2,702	13·8
Total	844,173	5,630	83,012	88,642	5,640	84,621	90,261	10·2
Total of 585 Unions in England and Wales	13,413,476	195,220	1,054,462	1,249,682	182,116	1,061,991	1,244,107	9·2
Estimated for places not in Union	2,453,237	35,598	192,231	227,879	33,209	193,654	226,863	..
Estimated for England and Wales	15,906,713	230,818	1,246,743	1,477,561	215,325	1,255,645	1,470,970	9·2

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No. 2.

Comparative Statement of the Total Number of Paupers relieved in 585 Unions, in the several Counties of England and Wales, during the Quarters ended Lady-day, 1844 *and* 1845, *respectively; and the Total Amount Expended for Relief, &c., to the Poor, during each of the Years ended Lady-day,* 1844 *and* 1845, *in which the Counties are ranged according to their highest rate of Decrease and lowest rate of Increase in the latter as compared with the former period.*

Counties.	Total Number of Paupers Relieved, Quarters ended Lady-day		Decrease per Cent. in 1845 compared with 1844.	Increase per Cent. in 1845 compared with 1844.	Counties.	Total Amount Expended for Relief to the Poor, Years ended Lady-day.		Decrease per Cent. in 1845 compared with 1844.	Increase per Cent. in 1845 compared with 1844.
	1844	1845				1844	1845		
						£.	£.		
Durham	26,611	21,092	20·7	..	Nottingham	74,231	65,540	12	..
Lancaster	93,689	81,644	14·7	..	York, West Riding	209,805	186,321	11	..
Westmorland	6,223	5,331	14·3	..	Lancaster	231,648	211,694	9	..
Stafford	30,426	26,513	12·9	..	Chester	80,413	76,124	5	..
York, West Riding	58,927	51,376	12·8	..	Durham	79,883	75,824	5	..
Derby	11,341	9,906	12·7	..	Stafford	103,105	98,266	5	..
Northumberland	24,390	21,442	12·1	..	Montgomery	25,879	24,892	4	..
Nottingham	18,571	16,567	10·8	..	Westmorland	18,747	18,225	3	..
York, North Riding	14,962	13,754	8·1	..	Leicester	82,379	81,106	2	..
Glamorgan	13,797	12,743	7·6	..	Derby	41,320	41,062	1	..
York, East Riding	15,292	14,350	6·0	..	Monmouth	31,420	31,202	1	..
Merioneth	6,423	6,054	5·7	..	Flint	19,193	19,711	1	..
Chester	24,634	22,792	5·4	..	Surrey	193,111	193,857	..	..
Monmouth	9,414	9,143	2·9	..	York, North Riding	55,010	54,967	..	..
Cumberland	11,357	11,108	2·2	..	Kent	189,283	191,182	..	1
Caermarthen	10,218	10,009	2·0	..	Northumberland	76,063	76,870	..	1
Denbigh	7,663	7,508	2·0	..	Rutland	8,525	8,647	..	1
Montgomery	9,166	9,078	1·0	..	Wilts	125,493	126,410	..	1
Worcester	27,355	27,221	0·5	..	Worcester	86,896	87,404	..	1
Kent	50,113	49,974	0·3	..	York, East Riding	54,976	55,691	..	1
Brecon	5,602	5,607	..	..	Caermarthen	31,256	32,022	..	1
Wilts	36,250	36,296	..	0·1	Merioneth	17,760	17,883	..	1
Essex	44,599	45,239	..	1·4	Devon	155,433	156,376	..	2
Cornwall	22,361	22,712	..	1·6	Middlesex	279,193	285,945	..	2
Norfolk	41,255	42,161	..	2·2	Northampton	88,765	90,645	..	2
Salop	17,204	17,599	..	2·3	Salop	59,630	60,657	..	2
Rutland	2,222	2,275	..	2·4	Sussex	112,263	114,975	..	2
Middlesex	66,579	70,624	..	3·0	Denbigh	22,786	23,509	..	3
Anglesey	5,573	5,738	..	3·0	Bedford	42,469	44,341	..	4
Bedford	13,218	13,627	..	3·1	Berks	88,913	92,615	..	4
Northampton	21,951	22,676	..	3·3	Buckingham	67,980	70,545	..	4
Lincoln	26,664	27,516	..	3·5	Cornwall	76,730	79,674	..	4
Hertford	19,192	19,804	..	3·7	Cumberland	35,757	37,075	..	4
Southampton	30,440	31,599	..	3·8	Dorset	76,329	79,393	..	4
Berks	20,998	21,840	..	4·0	Lincoln	109,610	114,262	..	4
Sussex	29,619	31,027	..	4·8	Somerset	167,824	174,535	..	4
Surrey	41,170	43,380	..	5·4	Glamorgan	43,779	45,711	..	4
Hereford	10,419	10,999	..	5·6	Pembroke	20,524	21,294	..	4
Bucks	19,479	20,588	..	5·7	Essex	147,046	154,158	..	5
Devon	40,199	42,475	..	5·7	Gloucester	100,851	105,801	..	5
Somerset	53,010	56,261	..	6·1	Hereford	41,049	43,170	..	5
Cambridge	20,305	21,644	..	6·6	Hertford	69,721	73,860	..	5
Flint	5,534	5,912	..	6·8	Southampton	113,071	118,827	..	5
Leicester	24,107	25,777	..	6·9	Cardigan	19,172	20,230	..	5
Dorset	22,248	23,910	..	7·5	Caernarvon	25,222	26,577	..	5
Gloucester	29,700	31,957	..	7·6	Radnor	7,439	7,842	..	5
Suffolk	40,740	43,857	..	7·6	Norfolk	160,586	169,769	..	6
Caernarvon	9,501	10,313	..	8·5	Oxford	72,735	77,395	..	6
Radnor	2,470	2,702	..	9·4	Suffolk	136,658	144,964	..	6
Warwick	15,503	17,249	..	11·3	Brecon	20,221	21,354	..	6
Huntingdon	5,609	6,285	..	12·1	Cambridge	75,349	80,665	..	7
Cardigan	6,600	7,453	..	12·9	Anglesey	13,289	14,253	..	7
Oxford	19,245	22,046	..	14·6	Warwick	59,840	64,592	..	9
Pembroke	6,095	7,144	..	17·2	Huntingdon	22,991	25,658	..	12

No. 3.

Summary of Returns showing the Number of Adult Able-bodied Paupers relieved in 585 Unions, under the Poor Law Amendment Act, in the several Counties of England and Wales, during the Quarters ended Lady-day, 1844 and 1845 respectively.

NAMES OF COUNTIES.	NUMBER OF ADULT ABLE-BODIED PAUPERS RELIEVED. Quarter ended Lady-day, 1844. In-door. On Account of Sickness or Accident.	In-door. All other causes, including Vagrancy.	In-door. Total.	Out-door. On Account of Sickness or Accident.	Out-door. All other causes, including Vagrancy.	Out-door. Total.	Total In-door and Out-door.
ENGLAND.							
Bedford	158	760	918	2,271	974	3,245	4,163
Berks	1,2	1,986	2,158	2,548	1,020	3,568	5,726
Buckingham	154	1,481	1,635	3,172	1,413	4,585	6,220
Cambridge	124	2,093	2,217	2,606	1,380	3,986	6,203
Chester	110	864	974	2,052	4,428	6,480	7,454
Cornwall	230	657	887	1,975	2,382	4,357	5,244
Cumberland	65	745	810	1,021	1,246	2,267	3,077
Derby	83	374	457	1,436	975	2,411	2,868
Devon	376	1,482	1,858	4,466	2,187	6,653	8,511
Dorset	149	666	815	3,267	1,758	5,025	5,840
Durham	112	753	865	2,080	5,618	7,698	8,563
Essex	392	4,628	5,020	6,934	2,680	9,614	14,634
Gloucester	254	1,135	1,389	3,135	3,209	6,342	7,731
Hereford	123	305	428	1,250	525	1,775	2,203
Hertford	229	2,255	2,484	2,941	1,393	4,334	6,858
Huntingdon	41	238	279	754	425	1,179	1,458
Kent	760	3,267	4,027	4,902	6,305	11,207	15,234
Lancaster	1,026	2,485	3,511	5,824	19,930	25,254	28,765
Leicester	85	1,856	1,941	2,959	2,369	5,328	7,269
Lincoln	191	2,210	2,401	3,128	2,072	5,200	7,601
Middlesex	1,023	8,633	9,656	4,050	12,051	16,101	25,757
Monmouth	121	370	491	1,021	1,351	2,372	2,863
Norfolk	176	3,346	3,522	4,243	2,685	6,928	10,450
Northampton	75	1,054	1,129	3,454	1,433	4,887	6,016
Northumberland	152	877	1,029	1,449	5,864	7,313	8,342
Nottingham	111	892	1,003	2,357	1,672	4,029	5,032
Oxford	101	1,059	1,160	3,311	1,265	4,576	5,736
Rutland	5	299	304	245	167	412	716
Salop	148	1,824	1,972	2,173	1,415	3,588	5,560
Somerset	300	2,440	2,740	7,145	3,467	10,612	13,352
Southampton	197	1,589	1,786	4,746	2,213	6,959	8,745
Stafford	300	2,390	2,690	2,944	5,818	8,762	11,452
Suffolk	128	2,636	2,764	5,435	2,465	7,900	10,664
Surrey	736	3,671	4,407	3,844	7,382	11,226	15,633
Sussex	171	1,850	2,021	4,061	1,632	5,693	7,714
Warwick	75	722	797	1,583	1,419	3,002	3,799
Westmorland	27	294	321	393	1,180	1,576	1,897
Wilts	156	2,497	2,653	5,144	2,686	8,030	10,683
Worcester	249	1,136	1,385	3,284	3,480	6,764	8,149
York { East Riding	45	545	590	1,253	2,257	3,510	4,100
York { North Riding	50	988	1,038	1,070	2,303	3,373	4,411
York { West Riding	299	1,588	1,887	4,313	11,089	15,402	17,289
Totals of England	9,503	70,910	80,419	125,780	137,783	263,563	343,982
WALES.							
Anglesey	..	..	..	682	893	1,575	1,575
Brecon	18	291	304	514	521	1,035	1,339
Cardigan	7	123	130	530	624	1,154	1,284
Carmarthen	35	684	719	1,018	771	1,789	2,508
Caernarvon	16	55	71	702	1,579	2,281	2,352
Denbigh	25	168	193	1,083	731	1,814	2,007
Flint	7	128	135	454	600	1,054	1,189
Glamorgan	16	312	328	1,299	2,390	3,689	4,017
Merioneth	6	50	56	275	556	831	887
Montgomery	29	111	140	943	1,101	2,044	2,184
Pembroke	25	162	187	350	528	886	1,073
Radnor	3	19	22	231	288	519	541
Totals of Wales	182	2,103	2,282	8,089	10,582	18,671	20,956
Totals of 585 Unions in England and Wales	9,691	73,013	82,704	133,869	148,365	282,234	364,938
Estimated for Unions not included, and Places not in Union	1,767	13,314	15,081	24,411	27,054	51,465	66,546
Estimated Totals of England and Wales	11,458	86,327	97,785	158,280	175,419	333,699	431,484

NAMES OF COUNTIES.	NUMBER OF ADULT ABLE-BODIED PAUPERS RELIEVED. Quarter ended Lady-day, 1845. In-door. On Account of Sickness or Accident.	In-door. All other causes, including Vagrancy.	In-door. Total.	Out-door. On Account of Sickness or Accident.	Out-door. All other causes, including Vagrancy.	Out-door. Total.	Total In-door and Out-door.
ENGLAND.							
Bedford	152	752	904	2,508	904	3,412	4,316
Berks	155	1,796	1,951	2,952	1,283	4,235	6,186
Buckingham	157	1,335	1,492	3,545	1,472	5,017	6,509
Cambridge	133	2,023	2,156	2,934	1,631	4,565	6,721
Chester	78	722	800	1,601	4,377	5,978	6,778
Cornwall	210	827	1,037	2,085	2,583	4,668	5,705
Cumberland	63	569	632	1,026	1,271	2,297	2,929
Derby	75	291	366	1,200	695	1,895	2,261
Devon	369	1,720	2,089	5,020	2,139	7,159	9,248
Dorset	140	697	837	3,503	2,055	5,558	6,395
Durham	169	1,720	2,089	5,020	2,139	7,159	9,248
Essex	386	3,903	4,289	7,310	2,923	10,313	14,602
Gloucester	238	1,330	1,628	3,643	2,922	6,565	8,193
Hereford	103	331	439	1,447	530	1,177	2,416
Hertford	273	1,633	1,906	3,379	1,452	4,831	6,737
Huntingdon	49	241	290	910	515	1,425	1,715
Kent	231	3,297	4,128	4,951	5,542	10,493	14,621
Lancaster	837	2,069	2,906	5,677	15,638	21,315	24,221
Leicester	120	1,326	1,446	3,250	3,163	6,413	7,859
Lincoln	198	1,712	1,910	3,358	2,612	5,965	7,875
Middlesex	929	6,095	7,024	4,294	13,911	18,205	25,229
Monmouth	128	368	496	1,092	1,216	2,308	2,804
Norfolk	190	3,311	3,501	4,796	2,312	7,108	10,609
Northampton	89	947	1,036	3,825	1,486	5,311	6,347
Northumberland	124	517	641	1,326	4,253	5,579	6,220
Nottingham	179	603	782	1,979	1,504	3,483	4,265
Oxford	92	1,118	1,210	3,375	1,551	5,426	6,636
Rutland	3	276	279	263	168	431	710
Salop	165	1,758	1,923	2,433	1,186	3,619	5,542
Somerset	319	2,482	2,801	7,625	3,999	11,624	14,425
Southampton	225	1,695	1,920	5,159	2,165	7,324	9,244
Stafford	269	1,392	1,661	2,565	4,865	7,430	9,091
Suffolk	145	2,691	2,836	6,321	2,801	9,122	11,959
Surrey	733	3,222	3,955	4,149	7,856	12,005	15,960
Sussex	114	1,955	2,069	3,901	2,206	6,107	8,176
Warwick	80	1,090	1,170	1,907	1,596	3,503	4,673
Westmorland	39	231	270	490	836	1,326	1,596
Wilts	146	2,354	2,500	5,224	2,725	8,149	10,649
Worcester	272	990	1,262	3,418	3,309	6,727	7,989
York { East Riding	47	477	524	1,283	1,727	3,010	3,534
York { North Riding	67	686	753	1,087	1,500	2,587	3,340
York { West Riding	319	1,159	1,478	4,066	8,502	12,568	14,046
Totals of England	9,425	62,273	71,698	133,188	129,427	262,615	334,313
WALES.							
Anglesey	..	..	..	629	731	1,401	1,401
Brecon	36	249	285	839	493	1,092	1,307
Cardigan	10	253	263	597	773	1,370	1,633
Carmarthen	28	542	570	965	755	1,720	2,190
Caernarvon	27	48	75	707	1,746	2,453	2,528
Denbigh	32	150	182	1,071	731	1,802	1,984
Flint	17	237	254	897	700	1,597	1,851
Glamorgan	13	294	307	1,504	1,769	3,273	3,580
Merioneth	5	87	92	252	480	732	824
Montgomery	25	136	161	903	1,100	2,003	2,164
Pembroke	18	157	175	553	563	1,116	1,291
Radnor	11	21	32	256	272	528	560
Totals of Wales	222	2,174	2,396	8,254	10,168	18,417	20,813
Totals of 585 Unions in England and Wales	9,647	64,447	74,094	141,442	139,500	281,032	355,126
Estimated for Unions not included, and Places not in Union	1,759	11,752	13,511	25,792	25,454	51,246	64,757
Estimated Totals of England and Wales	11,406	76,199	87,605	167,234	165,044	332,278	419,883

TABLE A.—*Comparative Statement of the Number of Able-bodied Persons who have received Out-door Relief, on Account of being out of Work and other Causes, (not being Sickness, Accident, or Infirmity,) during the Quarters ended Lady-day,* 1844 *and* 1845, *in* 585 *Unions, in the several Counties of England and Wales.*

Description of Paupers.	Quarters ended Lady-day.	On Account of Want of Work.		On Account of Insufficiency of Earnings.		Other Causes, not being Sickness, Accident, or Infirmity.		Total.		Grand Total.
		Adults.	Children.	Adults.	Children.	Adults.	Children.	Adults.	Children.	
Married Men and Widowers having Children	1844	10,358	31,765	8,268	29,681	1,858	5,254	20,484	67,000	87,484
	1845	8,087	25,617	6,765	25,492	1,982	4,753	16,844	55,862	72,706
Married Men and Widowers *without* Children, and Single Men	1844	3,871	..	1,141	..	675	..	5,687	..	5,687
	1845	3,145	..	1,985	..	675	..	4,905	..	4,905
Single Women having an Illegitimate Child or Children	1844	1,366	1,840	4,165	5,585	277	482	5,808	7,907	13,815
	1845	927	1,208	3,630	5,042	421	491	5,028	6,741	11,769
Women not having a Child or Children, whose Husbands have deserted them	1844	2,051	..	2,026	..	318	..	4,895	..	4,895
	1845	1,632	..	2,129	..	694	..	4,455	..	4,455
Other Able-bodied Women not included in Table B.	1844	439	472	822	1,091	772	1,434	2,033	2,997	5,030
	1845	415	505	761	861	756	1,180	1,932	2,546	4,478
Wives of Married Men above-mentioned	1844	9,698	..	6,949	..	1,236	..	18,023	..	18,023
	1845	7,642	..	5,742	..	903	..	14,287	..	14,287
Totals of 585 Unions	1844	27,988	34,077	28,371	36,657	5,736	7,170	57,080	77,904	134,984
	1845	21,858	27,330	20,162	31,395	5,431	6,424	47,451	65,149	112,600

TABLE B.—*Comparative Statement of the Number of Widows, and Women whose Husbands have Deserted them, or who have been Transported, having a Child or Children under* 16 *dependent on them, who have received out-door Relief during the Quarters ended Lady-day,* 1844 *and* 1845, *in* 585 *Unions in the several Counties of England and Wales.*

Description of Paupers.	Quarters ended Lady-day.	On Account of Sickness, Accident, or Infirmity.		On Account of Want of Work.		On Account of Insufficiency of Earnings.		Other Causes.		Total.		Grand Total.
		Adults.	Children.	Adults.	Children.	Adults.	Children.	Adults.	Children.	Adults.	Children.	
Widows having a Child or Children	1844	4,030	8,809	2,687	6,500	37,648	100,383	1,400	3,259	45,715	118,951	164,664
	1845	4,448	9,840	2,878	6,734	38,645	101,956	1,366	3,711	47,537	122,241	169,778
Wives whose Husbands have deserted them, &c., having a Child or Children	1844	626	1,488	507	1,311	3,054	8,122	215	577	4,402	11,498	15,900
	1845	601	1,312	552	1,405	2,807	7,417	247	581	4,207	10,715	14,922
Wives whose Husbands are absent from them, from any other cause than desertion, having a Child or Children	1844	359	835	237	652	2,257	6,536	298	869	3,151	8,892	12,043
	1845	365	860	251	606	1,885	5,407	299	870	2,800	7,743	10,543
Totals of 585 Unions	1844	5,015	11,132	3,381	8,463	42,959	115,041	1,913	4,705	53,268	139,341	192,609
	1845	5,414	12,012	3,681	8,745	43,337	114,780	2,112	5,162	54,544	140,699	195,243

No. 5.

Summary of Returns, showing the Number of Aged and Infirm Out door Paupers partially or wholly Disabled, Relieved in 585 Unions in England and Wales, during the Quarter ended Lady-day, 1845, distinguishing the Resident and Non-Resident.

Counties.	Out-door Resident.				Out-door Non-resident.				Totals.				Grand Total.
	Wholly unable to Work.		Partially able to Work.		Wholly unable to Work.		Partially able to Work.		Resident.		Non-resident.		
	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.	Males.	Fem.	
England.													
Bedford	714	1,213	208	763	35	105	7	24	922	1,976	42	129	3,069
Berks	1,444	2,042	510	651	143	161	24	39	1,954	2,693	167	290	5,014
Buckingham	984	1,726	575	1,430	60	123	13	55	1,559	3,156	73	183	4,971
Cambridge	1,003	1,772	477	982	65	130	17	89	1,480	2,754	82	169	4,485
Chester	990	1,642	495	1,032	322	611	162	377	1,485	2,674	484	988	5,631
Cornwall	1,387	3,103	676	1,814	143	357	22	85	2,063	4,417	170	442	7,092
Cumberland	345	623	240	716	136	267	114	304	585	1,339	250	571	2,745
Derby	539	939	272	600	141	231	32	95	811	1,539	173	326	2,849
Devon	3,234	5,519	2,205	3,455	277	481	138	219	5,439	8,673	415	700	15,227
Dorset	1,411	2,637	556	1,665	99	243	58	132	1,967	3,772	157	375	6,271
Durham	987	2,201	366	1,286	349	763	85	314	1,353	3,487	434	1,077	6,351
Essex	2,323	3,593	530	1,044	164	337	25	62	2,853	4,637	189	399	8,078
Gloucester	1,773	3,187	939	1,512	264	500	68	180	2,712	4,999	332	680	8,723
Hereford	702	1,107	520	950	84	199	43	90	1,222	2,057	127	289	3,695
Hertford	906	1,864	278	563	163	256	25	39	1,184	2,427	188	395	4,194
Huntingdon	448	885	106	279	20	51	1	6	554	1,164	21	57	1,796
Kent	1,923	3,279	1,023	2,087	315	659	107	292	2,946	5,366	422	951	9,685
Lancaster	1,966	3,521	1,923	3,934	502	490	611	1,155	3,949	7,455	1,204	2,145	14,753
Leicester	1,064	1,641	875	1,290	147	249	100	169	1,139	2,931	247	418	5,585
Lincoln	1,603	2,582	675	1,546	153	320	35	101	2,278	4,478	188	421	7,365
Middlesex	960	2,278	755	2,169	305	1,125	241	871	1,715	4,447	546	1,996	8,704
Monmouth	442	655	318	636	41	77	40	79	760	1,291	81	156	2,288
Norfolk	2,721	4,563	1,036	1,526	342	614	126	245	3,757	6,089	468	1,059	11,443
Northampton	1,377	2,500	435	1,143	81	185	19	69	1,812	3,643	100	254	5,809
Northumberland	836	1,817	353	1,580	468	1,015	141	589	1,189	3,397	609	1,604	6,799
Nottingham	746	1,277	562	1,149	163	315	82	159	1,308	2,426	245	474	4,453
Oxford	1,452	1,967	427	669	77	136	10	34	1,879	2,636	87	170	4,773
Rutland	95	200	35	130	12	26	7	12	130	330	19	38	517
Salop	625	1,152	424	914	249	415	152	318	1,049	2,066	401	733	4,249
Somerset	3,264	5,961	2,005	3,756	250	549	116	200	5,329	9,717	366	809	16,221
Southampton	1,635	2,978	637	1,129	162	324	51	97	2,272	4,107	213	421	7,013
Stafford	1,440	2,387	495	1,021	208	425	45	116	1,935	3,408	253	541	6,337
Suffolk	2,819	4,540	1,147	1,713	169	346	37	94	3,966	6,253	206	440	10,865
Surrey	1,169	1,623	694	1,839	203	396	82	221	1,863	3,572	285	607	6,327
Sussex	1,413	1,567	676	860	234	323	107	132	2,289	2,447	341	460	5,537
Warwick	911	1,330	580	1,042	128	266	32	105	1,471	2,372	160	391	4,394
Westmorland	127	179	200	406	37	58	56	152	327	585	93	210	1,215
Wilts	2,312	4,051	715	1,348	216	475	75	148	3,027	5,399	291	623	9,340
Worcester	1,394	2,212	577	1,168	204	424	80	144	1,971	3,380	284	568	6,203
York { East Riding	533	1,051	448	1,072	145	299	112	351	981	2,123	257	650	4,011
York { North Riding	720	1,521	381	815	218	531	105	313	1,101	2,336	323	844	4,604
York { West Riding	2,078	4,194	1,124	2,644	588	1,197	364	910	3,202	6,838	952	1,887	12,979
Totals of England	54,815	96,008	27,773	55,418	8,178	16,874	3,767	8,976	82,573	151,426	11,945	25,850	271,609
Wales.													
Anglesey	274	580	257	591	30	75	31	76	531	1,171	61	151	1,914
Brecon	293	457	270	577	57	101	90	184	563	1,034	147	285	2,029
Cardigan	490	1,114	249	829	53	62	17	75	739	1,943	70	137	2,109
Caermarthen	631	1,174	426	1,225	81	257	69	270	1,057	2,399	150	527	4,133
Caernarvon	381	542	570	1,166	83	130	123	219	951	1,708	206	349	3,214
Denbigh	347	598	213	678	60	143	36	203	560	1,276	143	351	2,330
Flint	377	909	212	479	40	75	19	60	589	1,388	59	135	2,171
Glamorgan	622	1,132	297	895	135	174	39	149	919	2,047	174	289	3,463
Merioneth	261	458	441	950	62	104	120	267	702	1,408	182	371	2,643
Montgomery	326	737	350	695	63	137	61	130	676	1,432	124	267	2,559
Pembroke	407	1,007	279	722	63	196	26	65	686	1,729	89	261	2,765
Radnor	101	213	110	187	21	48	23	49	211	400	44	97	752
Totals of Wales	4,570	8,941	3,674	8,974	748	1,527	704	1,747	8,244	17,915	1,452	3,274	30,885
Totals of 585 Unions in England and Wales	59,385	104,949	31,447	64,392	8,926	18,401	4,471	10,723	90,822	169,341	13,397	29,124	302,494

Comparative Statement of the Number of Aged and Infirm Out-door Paupers, partially or wholly Disabled, Relieved during the Quarters ended Lady-day, 1844 and 1845, in 585 Unions in the several Counties of England and Wales.

—	Quarters ended Lady-day.	Wholly Unable to Work.		Partially Able to Work.		Total.		Grand Total.
		M.	F.	M.	F.	M.	F.	
Totals of 585 Unions	1844	67,262	119,655	34,407	73,258	101,669	192,913	294,582
Totals of 585 Unions	1845	63,911	123,350	35,918	75,115	104,229	198,465	302,694

No. 6.

Number of Pauper Lunatics and Idiots in 589 *Unions in England and Wales, during the Years* 1842, 1843, *and in August,* 1844, *respectively.*

Years.	Lunatics.			Idiots.			Total Number of Lunatics and Idiots.	Total Number dangerous to themselves or others.	Total Number of dirty habits.
	M	F.	Total.	M.	F.	Total.			
1842	3,012	3,875	6,887	3,298	3,685	6,983	13,870	3,366	2,581
1843	3,204	4,052	7,256	3,547	3,925	7,472	14,728	3,461	2,641
August, 1844	..	..	..	..	..	..	9,127	3,638	2,590

There do not seem to be any means of ascertaining with accuracy, for the purposes of comparison, the numbers of paupers relieved before 1834; but the tables now given will serve as indexes to the actual state and extent of pauperism at the latest periods, with respect to which such information has been published.

Sect. 3. *Poor Laws of Scotland.*

The laws relating to the support of the poor in Scotland originated, like those in most other countries, in attempts to check the prevalence of mendicity. The earliest Act of the Scotch parliament, having reference to the poor, was passed in 1424. It prohibits all persons from begging, between the ages of fourteen and seventy, who should not be furnished with a pass from the proper authorities; and it further orders all other poor persons to betake themselves to some species of useful industry, under penalty of burning on the cheek and banishment. The provisions of this Act were reinforced by succeeding statutes (1503, cap. 70.; 1535, cap. 22); but from 1424 down to 1579, the *impotent poor* had no legal claim to any sort of relief, except that of authorised mendicity; and if the claims of the *able-bodied* poor to relief during this period were brought under discussion, they certainly were not recognised.

In 1579, the Scotch parliament passed the celebrated statute, 12 Jac. 6, cap. 74, which forms the basis of the existing code of poor laws. This statute is, in several parts, literally copied from an English statute, the 14th of Elizabeth, cap. 5, passed about seven years previously. It introduced, for the first time, the principle of compulsory assessment into Scotland; but with the important limitation, that it confines all legal title to relief to poor, aged, and impotent persons; while it directs that all "idle and lazy vagabonds," including all "common labourers, being *personnes abile in body*, living idle, and fleeing labour," shall be punished as vagrants and vagabonds, and that a fine shall be imposed on every one harbouring such persons, or giving them alms. There is not a word said in the statute about providing work for any unemployed person, though this forms a prominent topic in the English Act of the 14th of Elizabeth; and it seems plainly to have been intended to provide merely for the support of such poor impotent persons as had previously been without any means of subsistence other than what they derived from begging. Besides its directions as to the treatment of vagabonds and sturdy beggars, it prescribes the proceedings to be adopted with respect to runaway ser-

vants, the mode of passing soldiers and seamen to their respective parishes, the regulation of hospitals, the mode of taxing (stenting) the inhabitants for the objects of the Act, the appointment of overseers, collectors, &c.

Some of the later Scotch Acts, and some of the proclamations that were issued in the reign of William III., contain provisions that have been supposed by some to require that work should be provided for the able-bodied poor. But any such interpretation is plainly inconsistent with the principles laid down in the statute of 1579. "The statutes referred to," says Mr. Monypenny, "sufficiently establish that the impotent poor, who are to be enrolled in the parish lists, in order that their wants may be regularly supplied, and for whom an assessment must, if necessary, be imposed, are only such as are *disabled from procuring a living by their own labour*, either by old age, or by some permanent bodily infirmity or mental incapacity, and who have neither separate means nor any relations who are bound and able to support them. The whole tenor and declared object of the statutes concur, with the particular expressions now pointed out, in proving that such is the prescribed and limited operation of the Scotch poor-laws. It is scarcely necessary to remark, that no countenance is given to the idea that, in any case whatever, the wages of labour may be made up out of the poor-rates. All such difficulties, whenever they occur in the country, must be surmounted by other expedients."—See *Monypenny's* (late Judge of the Court of Session) *Treatise on the Scotch Poor Laws*, p. 27.

The truth is, that the circumstances of the country when the Acts now referred to were passed, were such as to make it quite unnecessary to organise any provision for the relief of the able-bodied poor. Scotland was then wholly destitute of manufactures; and the agricultural labourers were almost all engaged for a year or thereby, the greater part of their wages consisting of articles of provision. In such a state of society able-bodied paupers could hardly exist, and it would, consequently, have been superfluous to provide for them. Labourers were hardly ever out of employment; and public charity might be safely left to guard against an evil of such rare occurrence, and so limited in point of extent.

The principle of providing only for the impotent poor led, in practice, to the important distinction that exists in Scotland between the *regular* and the *occasional* poor. "Those of the first class," to use the words of the late Rev. Sir H. Moncreiff, "receive a constant supply from the parish funds; those of the second are only assisted when they are laid aside from work, by sickness or accidental causes, and especially during that season of the year which chiefly affects their health, or suspends their usual labours. They receive at that time such assistance as their immediate necessities demand, for the limited period when they are in this situation; but when the cause which occasioned the demand ceases to operate, the parish assistance is withdrawn, and they return to their labour, under a conviction, which they never relinquish, that both their subsistence and their comfort must ultimately depend on their personal industry."

But though it was generally supposed to be clear law, that the occa-

sional poor could not insist on being supported by compulsory means, a decision of the Court of Session was opposed to this doctrine. In 1804, certain able-bodied individuals, perfectly competent to earn a subsistence by labour, but who were involved, by accidental circumstances, in temporary distress, applied for relief to the heritors (proprietors) and kirk-session of the parish to which they belonged. A majority agreed to relieve their wants by an extraordinary assessment; but the minority appealed to the Court of Session against this decision, contending that the heritors and session had no power to make an assessment for such a purpose. The court overruled the objection, but only by the narrowest majority, some of the ablest judges being at the same time in the minority. The question has not been agitated since, which shows that the practice has made no way; and it seemed to be the concurrent opinion of those best entitled to decide upon such a point, that if a case of the same sort had been again brought before the court, the former decision would not have been repeated.

But though, as already seen, this system was sufficiently well suited to the circumstances under which it originated, it is altogether unsuited to those of the present day. Scotland has now many large and populous towns, very extensive manufactures, and a large agricultural population employed only from day to day. In such a state of things great numbers of able-bodied persons are occasionally reduced, without any fault of their own, to a state of pauperism; and we have already seen (*ante*, p. 626, &c.), that it is sound policy to provide a resource by compulsory means on which such persons may fall back in periods of distress. Some such resource must, in fact, be provided one way or other, and it is best when it is done by an assessment falling generally on all sorts of property.

We regret, however, to have to state that the late statute, the 8 and 9 Vict., c. 83, has not in this respect placed the law on a satisfactory footing. It declares that from and after the passing of the Act, all assessments levied for the relief of the poor shall "extend and be applicable to the relief of occasional as well as permanent poor; provided always that nothing herein contained shall be held to confer a right to demand relief on able-bodied persons out of employment," (s. 68). We understand this to mean that the parochial authorities *may* relieve able-bodied persons; but that the latter cannot demand such relief as a right. A discretion of this sort is, however, very liable to be abused, and had better, we think, be done away with.

Having thus ascertained the class of persons entitled to support from the poors' funds, we have next to inquire into the amount of the provision allowed to each. This, though an important point, will not detain us long.

A good deal of the abuse of the poor laws of England, subsequently to 1780, originated in the too lavish allowances made to paupers, which, indeed, were often such as to place them in a better situation than independent labourers. But such abuses have been unknown in Scotland. The statute of 1579, ordered that "inquisition," or inquiry, should be made into the circumstances of every poor person claiming relief, to learn how much would enable him or her to "*live unbeggand.*"

An inquiry of this sort into the means and condition of each individual claiming relief has always been rigorously enforced; and this, whether the relief sought for were to be made through an assessment, or from the sums collected at the church doors, and other voluntary sources. The object in view has uniformly been so to eke out or assist the separate means of the pauper, supposing he has any, that he may not be reduced to the necessity of begging. And it is really surprising what a small pittance has generally sufficed for this purpose, economy having been forced upon the paupers as well by the habits of the people as by the scantiness of the provision made for them. Sometimes not more than a few shillings a-year have been given, and rarely more than 3*l.* or 4*l.* In fact it does not often happen in Scotland, that *total maintenance* is supplied to any pauper, unless he be a lunatic, or blind, or has been all his life absolutely impotent, and is without relations able to render him any support. The parish funds are not destined to supplant, but to aid individual means and charity; and the allowance, even when largest, has always been regulated by a low standard.

But economy is not the only thing to be attended to in dealing with the poor; and there can be no manner of doubt that it has been carried in many parts of Scotland to an extreme, or rather, we should say, to a revolting excess. The statements in Dr. Alison's valuable tracts, and in other publications of authority, have set this abuse in the clearest light, and have disclosed a state of suffering on the part of the aged and impotent poor which, had it been generally known, would have been disgraceful to the national character. The strong feeling occasioned by these disclosures led to the passing of the 8 and 9 Vict., c. 83; which, though in many respects defective, has, no doubt, improved the treatment of the poor.

The grand difference between the poor laws of Scotland and England consists in the different parties to whom the administration of the affairs of the poor is intrusted.

The execution of the Act of 1579, in country parishes, was committed to those who should be constituted justices of the peace, there not being any such functionaries at that time in Scotland. In consequence, it became necessary to provide other instruments for carrying its provisions into effect; which was done by the Acts of 1592, cap. 149; 1600, cap. 19; and 1663, cap. 16. These Acts committed the management of all matters relating to the poor, such as the imposing of assessments, the admitting of claimants to the roll, the distribution of collections, &c. jointly to the heritors and kirk-sessions in country parishes, and to the magistrates in royal burghs. Some doubts that had occurred as to the limits and legal extent of the control that may be exercised by the landlords over the proceedings of the kirk-sessions were finally put to rest by a decision of the Court of Session in 1751, in the case of the parish of Humbie. The court decided (we quote the words of the judgment) "that the heritors have a joint right and power with the kirk-session, in the administration, management, and distribution of all and every of the funds belonging to the poor of the parish, as well collections, as sums mortified (placed in mortmain), for the use of the poor, and lent out

upon interest; and have a right to be present and join with the session in their administration, distribution, and employment of such sums; without prejudice to the kirk-session to proceed in the ordinary acts of administration, and application of these collections to the ordinary and incidental charities, though the heritors be not present, nor attend." The judgment farther declared, "that when any acts of extraordinary administration, such as uplifting money that hath been lent out, or lending or re-employing the same, shall occur, the minister ought to intimate from the pulpit a meeting for taking such matters into consideration, at least ten days before holding of the meeting, that the heritors may have opportunity to be present and assist, if they think fit." And, in a case tried in the next year (1752), it was ruled, that *any single heritor* has right to call the kirk-session to account for their administration of the poors' money. In consequence of these acts and decisions, everything respecting the administration of the poors' funds in Scotland was intrusted to those best acquainted with the real wants and situations of the claimants for relief, and who had, at the same time, the strongest motives for confining the charge, on their account, within the narrowest limits. A kirk-session is a sort of ecclesiastical tribunal, established in every parish. Its members are usually selected from the most respectable classes, and in country parishes are, for the most part, either proprietors or farmers; and as Scotch farmers generally hold under leases for nineteen years, and are obliged by law to pay half the assessment on account of the poor, should one be imposed on their farms, they have the same interest as the landlords in the economical administration of the affairs of the poor, and in obviating the necessity for an assessment.

No doubt, however, the kirk-sessions, like the other parts of the machinery of the Scotch poor laws, were much better fitted for the management of the poor in thinly-peopled and purely agricultural parishes than for their management in parishes with a large and mixed population. It must, also, be borne in mind that the ministers having a paramount influence in the election of elders, it was always in their power to have a session favourable to their views; and when these happened to differ from those of the landlords and people of property, the worst consequences were apt to ensue. To obviate the chance of such inconvenience, the 8 & 9 Vict. c. 83, enacts that the then existing arrangements for managing the affairs of the poor should be continued in all parishes in which the sums required for their support were raised by voluntary contributions, so long as they were raised by such means; but that in the case of parishes in which assessments were then, or in which they should be at any former period, imposed for the support of the poor, their management should be intrusted to parochial boards, elected by people of property in the way pointed out in the Act. It also orders an inspector or inspectors of the poor to be elected for each parish or combination of parishes; the Act authorizing parishes, if they think fit, to unite or combine for the better and more economical management of their parochial affairs.

The interests and the feelings of the heritors and kirk-sessions have been in general so much identified, that except on extraordinary occa-

sions, the former have rarely interfered in the management of the affairs of the poor, but have left it to the latter to enrol the regular paupers, to fix the weekly, monthly, or quarterly allowances to be paid to each, to administer assistance to the occasional poor, &c. The members of the kirk-sessions act gratuitously, without receiving any fee or reward; and there is no one acquainted with the subject who will not be forward to admit that, speaking generally, they have discharged the important and difficult duties imposed on them with an integrity, zeal, and considerate regard for the interests of all parties, that have never been surpassed, and very seldom equalled, by any set of functionaries.

Owing to the peculiar constitution of the kirk-sessions, appeals from their decisions to the justices and sheriffs were always rare, and never met with any encouragement from the Supreme Court. On the contrary, in 1772, this court set aside the judgment of a sheriff, fixing the provision which an applicant for relief was entitled to receive, on the ground "that he had arrogated to himself powers which belonged exclusively to the minister, elders, and heritors of the parish." A decision to the same effect was given in 1779; and at length, in 1819, it was finally decided, that there is no appeal to any *inferior court* from the decision of the kirk-session and heritors, either *as to the admissibility of a pauper to the roll, or as to the amount of the allowance to be given him.*

We doubt, however, whether this was a wise or an expedient course; and we incline to think that it would be good policy to restore to the sheriffs the decision, in the first instance, of all legal questions in respect to the poor.

Under the late Act a central Board has been established in Edinburgh; and all poor persons dissatisfied with the decisions of the parochial authorities must primarily appeal to it; and they can only appeal to the Court of Session in the event of their claim being approved by the Board. But we confess we do not see the use of this preliminary check. No doubt it will tend to prevent improper claims being brought before the Court of Session; but it may also quash those that are proper. The better way would have been to have referred such cases, in the first instance, to the sheriffs. Their decisions would seldom have been appealed from, at the same time that it would always have been practicable, by bringing them under the review of a superior tribunal, to rectify their errors.

The General Board is authorized to inquire into the condition and management of the poor in all boroughs and parishes; to order returns from them, &c.; but though it may make suggestions, it has no power to order them to vary their mode of managing the poor.

In consequence of the extreme economy of the kirk-sessions, and of their repugnance to admit improper persons on the roll, or to administer any relief not absolutely required by the exigencies of the case, to the able-bodied poor, the sums collected by voluntary contributions, at the church doors and otherwise, sufficed for a lengthened period for the support of the poor, and till recently, assessments had not been introduced into more than about a third part of the parishes of Scotland. The landlords and clergy seem, in fact, to have regarded them with a

sort of superstitious horror. It is worthy, also, of remark, that assessments, in various instances, after being imposed for a time, were abandoned, and the poor again provided for by voluntary contributions. In Scotland it has always been held that assessments should only be adopted as a *dernier resort;* and that they should not be introduced into any parish in which the poor may be otherwise supported. Down to a late period the orthodox opinion on the subject was, that assessments were not intended to supersede, but to add to the voluntary contributions of the parishioners; and that, unless the latter were insufficient to meet the urgency of the case, they were not to be resorted to.

The other particulars with respect to the Scotch poor laws are of inferior importance. Assessments in country parishes are imposed, half on lands and heritages, according to the real rent of the same, and half on the tenants and occupiers. In town parishes, half the assessment is imposed on lands and heritages (fixed property), and half on the whole inhabitants, in proportion to their "means and substance."

There has been, at different periods, a good deal of difference of opinion as to whether the parish an individual was connected with by birth or residence should be bound to support him in the event of his becoming a pauper. But it is now enacted by the statute 8 & 9 Vict. c. 83, that if an individual reside for five years in a parish, and support himself during that period by his own industry or resources, he acquires a settlement in it, and, consequently, a legal title to support, if he become infirm and destitute. It is worthy of mention, that how much soever opinions may have varied in Scotland, as to what should constitute a settlement, no individual in that part of the empire ever so much as dreamed of making the support of the poor a national instead of a parochial burden. Any such change would, indeed, be wholly subversive of all the principles of the Scotch system, and would set wide the flood-gates of pauperism. Mr. Monypenny truly states, that "the erecting each parish into a separate body, or one great family, as it were, independent, in so far as relates to the poor of any other parish, was an act of the wisest policy and most unquestioned expediency."

The following statement, taken from a Report by a committee of the General Assembly of the Church of Scotland in 1838, is interesting as exhibiting the state of pauperism in Scotland, previously to the introduction of the new system. (See p. 682.)

It appears from the returns annexed to the First Report of the Central Board, that the number of poor persons on the rolls of the different parishes amounted, in 1845–46, to 68,541, and that the sum derived from all sources for the relief of the poor during the same year, amounted to 303,329*l.* Of this sum 243,828*l.* was expended on the relief of the permanent poor; 24,633*l.* on the occasional ditto; 4,056*l.* on medical relief; and the residue on management, law expenses, &c.

Account of the Parishes, and of the Numbers and Descriptions of Persons in Scotland that participated in the Poor's Funds in 1838; *the Amount of such Funds, and the sources whence they were derived; the Mode and Expense of Management, &c.*

	Not Assessed.	Voluntarily Assessed.	Legally Assessed.	Total.
I. Parishes and Population :—				
Parishes	517	126	236	879
Population per Census of 1831	872,626	305,654	1,137,846	2,315,926
II. Number of Poor, and Amount of Relief afforded :—				
Poor on permanent roll :				
Number of persons	24,379	6,552	26,998	57,929
Rate per cent. of these to the population	2·79	2·16	2·37	2·50
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Sums distributed to them	24,846 0 11	12,850 0 8	73,984 18 7	111,721 0 2
Rate of relief per annum to each individual { Highest general	3 10 7	5 8 9·3	6 1 0·10	4 3 0·4
Lowest general	1 3 10·3	1 13 6·3	1 19 5·4	1 8 10·6
Average	1 0 4·7	1 19 1·3	2 14 9·3	1 18 6·5
Rate per head of the burden to the population	0 0 6·10	0 0 10·1	0 1 3·7	0 0 11·2
Lunatics :				
Number of persons	211 2-3	186 2-3	712 2-3	1,111
Rate per cent. to the population	·024	·06	·062	·048
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Amount applied to their maintenance, &c.	2,131 19 9	2,292 19 9	7,359 18 4	11,784 17 10
Average rate for each lunatic	10 1 9·2	12 6 1·5	10 6 6	10 12 4
Occasional Poor :				
Number of persons	6,209	2,494	11,645	20,348
Rate per cent. to the population	·71	·81	1·02	·87
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Amount distributed to them	4,208 12 11	1,676 7 9	9,103 8 0	14,988 8 8
Average rate of relief to each individual	0 13 6·5	0 13 0·6	0 15 7·8	0 14 8
Total Poor :				
Number of persons	30,800	9,273	39,356	79,429
Rate per cent. to the population	3·53	3·03	3·44	3·42
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Amount applied including cost of education	27,730 10 0	17,038 15 4	91,726 16 0	140,496 1 4
Average rate to each pauper	1 0 7·1	1 16 9	2 6 8·9	1 15 4·10
Rate per head of the burden to the population	0 0 3·8	0 1 1·4	0 1 7·4	0 1 2·6
III. Funds for support of the poor :—				
Legal assessments			77,239 19 0	77,239 19 0
Rate per head on the population			0 1 4·8	0 0 8
Church-door collections	17,516 15 0	6,384 0 4	14,099 14 10	38,399 10 2
Rate per head on the population	0 0 4·11	0 0 5	0 0 2·11	0 0 3·11
Other voluntary contributions	6,604 14 5	9,164 8 9	3,207 7 0	18,976 10 2
Rate per head on the population	0 0 1·10	0 0 7·2	0 0 0·8	0 0 1·1
Session funds	10,570 5 10	4,275 10 6	5,758 16 6	20,604 12 10
Total funds	34,691 15 3	19,823 19 7	100,305 17 4	155,121 12 2
IV. Management :—				
Hired agents { For levying assessment		42	288	330
For managing the poor	66	23	113	202
Total	66	71	395	532
Gratuitous agents { Members of Session	3,191	829	2,015	6,035
Other persons	242	194	1,071	1,507
Total	3,433	1,023	3,086	7,542
V. Expense of management :—	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Average annual expense of levying assessment		159 2 1	3,930 14 11	4,119 17 0
Do. do. managing the poor	293 15 3	93 4 11	2,576 8 1	2,963 8 3
Do. of litigation { As to assessment			573 9 1	573 9 1
As to settlement of paupers, and claims for relief	40 4 0	44 14 8	262 8 1	347 6 9
Total expense	333 19 3	332 1 9	7,344 0 2	8,009 1 1
Rate per pauper	0 0 2·7	0 0 8·10	0 3 8·11	0 2 0·3
Rate per head on population	0 0 0·1	0 0 0·3	0 0 1·5	about 1-18

SECT. 4. *Poor Laws of Ireland.*

Though it be only of late years that any attempt has been made to provide for the wants of the poor of Ireland on anything like a comprehensive plan, they have attracted, at different periods, a considerable share of the public attention. Here, as in England and Scotland, vigorous efforts have been made to repress mendicity; but as no resource was simultaneously provided for the necessitous poor, the penal enactments directed against mendicity had no effect, and it has prevailed, and continues to prevail in Ireland to a frightful extent.

But notwithstanding the relief of the able-bodied poor has been till lately all but wholly neglected by Government, means were organised a considerable time ago, though on a very inadequate scale, for the

relief of the sick and impotent poor. These consisted of county infirmaries, fever hospitals, dispensaries, lunatic asylums, houses of industry, receptacles for orphans and destitute and deserted children, and asylums for the aged.

County Infirmaries were established under an Act passed in 1765, by which the primate, the lord chancellor, the bishop of the diocese, and the rector or vicar of the parish in which an infirmary was thought requisite, were made a perpetual corporation for its erection and support. They are supported under this and subsequent Acts by county presentments not exceeding 1,400*l.* a-year for each county, by a Treasury grant of 100*l.* a-year for surgeon's salary, and by subscriptions, donations, &c. These institutions undertake the treatment of all serious cases, whether surgical or medical, supposed to be curable, and which are not contagious. The inspection of the infirmaries, which are amongst the most valuable of the Irish charities, has been vested in the Poor Law Commissioners along with the local governors.

Fever Hospitals.—Owing to the deficient nourishment of the poor, and the destitution in which they are every now and then involved through the failure of the potato crops, fever is always very prevalent in Ireland; and sometimes, as in 1817, it attacks a large proportion of the population, and carries its ravages into every class. The organisation of means for the proper treatment of fever patients has, in consequence, engaged a large share of the public attention in Ireland, and fever hospitals have been established in most considerable towns. They are of three kinds, viz.:—1. County hospitals maintained exclusively by presentments; 2. District hospitals, maintained by private subscriptions and by presentments not exceeding double the amount of the subscriptions; and 3. Poor Law Union hospitals, the expenses of which are charged upon the union rates. But these institutions do not afford all the accommodation that might be supposed; and they are subject to various inconveniences, some of which have been pointed out in the Report of the Committee of the House of Lords on Irish Medical Charities in 1846. The County Hospital, for example, though supported by assessments raised upon the entire county, is nearly useless to those at a distance of more than ten or twelve miles, from the difficulty of removing patients to it; while the district hospitals do not fully supply this defect, the relief they afford being partial only, and dependent on the order of a subscriber. The poor law fever hospitals make, in most cases, ample provision for the wants of the unions; but at the same time that the charge for them is borne exclusively by the ratepayers, the latter are farther compelled to contribute their share of the assessments for the support of the district and county hospitals.

Dispensaries.—In order still farther to supply the wants of the sick poor, dispensaries, where medicines and medical and surgical advice and assistance are given gratis to the poor, have been established in most parts of the country. They are supported partly by private contributions, partly by equivalent grand jury presentments, and partly by fines at petty sessions. But though these institutions have been found to be of the greatest value, they are inefficient where either the will or the ability to supply an adequate amount of private subscriptions is wanting. Subscribers are mostly to be found among the wealthier

classes; and hence the poorer the district, the less the supply, and the greater the need of dispensary accommodation. We subjoin—

An Account of the Number of Dispensaries, Fever Hospitals, and Infirmaries in Ireland in 1845.

Names of Counties.	Number of Dispensaries Presented for in 1845.	Number of Fever Hospitals.	Number of Infirmaries.	Names of Counties.	Number of Dispensaries Presented for in 1845.	Number of Fever Hospitals.	Number of Infirmaries.
Antrim . . .	20	1	1	Londonderry .	18	2	1
Armagh . . .	17	2	1	Longford . .	6	..	1
Carlow . . .	8	4	1	Louth . . .	9	..	2
Cavan . . .	19	4	1	Mayo . . .	23	1	1
Clare . . .	26	2	1	Meath . . .	30	1	1
Cork	68	13	3	Monaghan . .	13	4	1
Donegal . . .	30	2	1	Queen's County	18	1	1
Down . . .	16	2	1	Roscommon .	17	..	1
Dublin . . .	30	2	5	Sligo . . .	11	1	1
Fermanagh . .	14	3	1	Tipperary . .	41	12	1
Galway . . .	27	2	1	Tyrone . .	22	2	1
Kerry . . .	26	4	1	Waterford . .	14	4	1
Kildare . . .	15	4	1	Westmeath .	18	1	1
Kilkenny . .	21	7	1	Wexford . .	21	6	1
King's County .	12	2	1	Wicklow . .	16	6	2
Leitrim . . .	8	1	1				
Limerick . .	30	5	2		664	101	41

The amount of monies annually presented for the support of the preceding institutions for several years, is:—

	£.		£.
1841 . . .	111,155	1844 . . .	97,408
1842 . . .	104,640	1845 . . .	106,306
1843 . . .	95,658		
		Total for five years . . .	515,573

To remove the defects of the existing systems of medical charities, the Committee of the House of Lords recommend the early legislative adoption of the following resolutions:—

"1. That the Lord Lieutenant should appoint a Medical Charities' Board, to be entitled "The Board of Health of Ireland."

"2. That the Board should consist of one paid and other unpaid commissioners, and have an office in Dublin.

"3. That the Lord Lieutenant should appoint inspectors to visit and report (subject to the orders and instructions of the Board) upon every infirmary, fever hospital, dispensary, lunatic asylum, or other medical institution supported wholly or in part at the public expense.

"4. That the Medical Charities' Board should be authorized to draw up general regulations, and to furnish to the several hospitals and medical charities which it is proposed that they should visit, forms for keeping registers and journals, in order that the state of medical statistics of Ireland should be brought under one system, and should admit of a just comparison and generalization.

"5. That the Medical Charities' Board should report to the Lord Lieutenant the districts proper to be assigned to each of the existing county infirmaries, fever hospitals, and dispensaries, and the number of medical and other officers requisite for each; and whether any, and how many, additional infirmaries, hospitals, and dispensaries are requi-

site for the purpose of rendering such medical relief proportionate to the wants of the country.

"6. That every power necessary for obtaining the requisite information should be given to the said Board. The Committee further recommend, that the existing dispensaries, where they are in beneficial operation, should be interfered with as little as is consistent with due regard to uniformity of action. That the association of the resident gentry in the local superintendence and management of the medical charities should be as far as is practicable secured. That encouragement should be held out for voluntary subscriptions, without however making the institutions for affording medical relief to the poor dependent in any essential matter upon such aid. That the arrangements for dispensary relief should include a provision for midwifery cases. And that provision should be made for the gratuitous vaccination of the poor at workhouses, infirmaries, and dispensaries, supported wholly or in part at the public expense." (See for further and more ample details, *Thom's Dublin Almanac* for 1846, p. 164.)

The first asylum for lunatic poor was founded in Dublin in 1745 by Dean Swift, who bequeathed 11,000*l.* for its maintenance. It supports 148 patients, a portion of whom pay for their maintenance and medical treatment. With the exception of a few private institutions on a very limited scale, nothing further was done for a lengthened period. An hospital attached to the house of industry in Dublin, a large and well-conducted asylum in Cork, and cells connected with some county infirmaries and poor-houses, formed all the means provided for the medical and moral treatment, or even for the safe custody, of the insane paupers of Ireland. The Report of a committee on the lunatic poor, in 1817, gives the following appalling description of the treatment of these unhappy creatures:—"There is nothing so shocking as madness in the cabin of the peasant, where the man is labouring in the fields for his bread, and the care of the woman of the house is scarcely sufficient for attendance on her children. When a strong young man is thus affected, the only way they have to manage him is by making a hole in the floor of the cabin, not high enough for a person to stand up in, with a crib over it to prevent his getting out. The hole is about four feet deep: they give the wretched being his food in it, and there he generally dies." Wandering lunatics were dispersed over the country, in the most neglected and disgusting state. The recommendations of the committee now referred to were followed up by legislative enactments giving them the force of law. The Government was empowered to divide the country into a certain number of districts, within which lunatic asylums should be erected; the expenses of the buildings were to be advanced out of the consolidated fund, and repaid by local taxation: their maintenance, when erected, was to be provided for by grand jury presentments. Pursuant to these arrangements, the various counties of Ireland (except Cork, in which an asylum had been already instituted by a special Act) were divided into ten districts, in each of which a lunatic asylum was erected, and was brought into operation, under the surveillance of the inspectors-general of prisons.

But owing to the prevalence of lunacy in Ireland, these means were still very inadequate for the wants of the lunatic paupers, some of whom

were confined in the public gaols, while many were unprovided for in the country. To lessen the evils incident to such a state of things, a late Act, the 8 & 9 Vict. c. 107, provides for the enlargement of the district lunatic asylums, and for the establishment of a central lunatic asylum, and of provincial asylums. It has also changed the Cork institution from a local to a general asylum, and subjected it to the same authority and regulations as the others. The inspectorship of lunatic asylums was separated in the course of the present year (1846) from that of prisons, and intrusted to a separate officer.

The following statements, from *Thom's Dublin Almanac* for 1846, set the extent of lunacy in Ireland, and the provision made for the same in 1845, in the clearest point of view :—

"The number of insane patients in the district asylums on 1st January, 1845, was 2,136, being within 19 of the accommodation they are capable of affording. The applications during the year, for the admission of urgent cases, supposed to be curable, were 219. The pauper lunatics in the district and local asylums, gaols, and workhouses, 4,339. The number of lunatics confined in gaols is progressively and rapidly increasing. The proportion of cures has increased, and the average number of deaths is lower than was to be expected from the destitute condition of the poor patients on admission, many being in a dying state. The general expenditure of the ten district asylums for 1844 was 28,995*l.*; the average expense of each patient, 14*l.* 0*s.* 9*d.* The Report of the Inspector-general states that there is a number of lunatic paupers throughout the country, amounting to 6,217, who are totally unprovided for and unprotected. The amount of the profits of work executed by the patients in 1844 was 1,881*l.* 4*s.* 4*d.*, being an increase of 271*l.* 18*s.* as compared with the profits of the preceding year.

"The following table affords a summary view of all the cases which have come under the notice of the official authorities during the year, distinguishing males from females; showing the proportion of lunatics to the population to be as 1 to 747¾ :—

	Males.	Females.	Total.
District Lunatic Asylums	1,101	1,035	2,136
Local ditto	415	542	957
Gaols	182	107	289
Poor-houses	480	477	957
Wandering Cases of Harmless Idiots and Simpletons, not in any Asylum	3,992	2,225	6,217
In Private Asylums	184	115	299
Lunatics under care of Court of Chancery, not in any Asylum	47	29	76
Total	6,401	4,530	10,931

Houses of industry were instituted in consequence of the publication of a tract by Dr. Woodward, bishop of Cloyne, entitled "An Argument in Support of the Right of the Poor in Ireland to a National Provision." The Act under which they were founded directed that every such establishment should be divided into four parts, for the infirm and refractory poor of each sex, and authorises the granting of

licenses and badges to beggars, a practice which was soon relinquished, as not only useless, but impracticable. This description of pauper establishments appears never to have been much in fashion, seeing that their number throughout Ireland did not exceed twelve, including the great central establishment in Dublin, supported exclusively by grants of public money. The combination of punishment and relief in the same institutions was deemed a fundamental defect in their constitution.

The public institutions for the support of orphans and deserted and destitute children are chiefly in the city of Dublin. The principal was the Foundling Hospital, opened in 1704 for the reception of destitute and deserted infants, from all parts of Ireland. These were mostly sent to the counties of Wicklow and Carlow to be nursed, and at a proper age were brought back to the central establishment, where they were educated and apprenticed to trades. The institution was wholly supported by grants of public money; but the injurious effect of such establishments on public morals, and the waste of life which they occasion, having been fully demonstrated, measures were taken for reducing and finally shutting up the establishment, by providing for the destitute children in their respective parishes or unions. This was effected in 1846. The Hibernian School in the Phœnix Park provides for the children of soldiers; the Marine School for those of sailors. The Blue-coat Hospital was incorporated in 1760 for the maintenance of the children of decayed citizens of Dublin. There are orphan houses established both for Protestants and Catholics. The principal institution for the reception of old men is the Royal Hospital at Kilmainham for invalid and superannuated soldiers, in which about 300 are supported. The House of Industry, supported by grants of public money, is now chiefly a receptacle for the aged and impotent poor, having attached to it several infirmaries, and an asylum for idiotic and epileptic cases.

Numerous charities are maintained by the exertions of private benevolence, independent of any aid from general or local taxation. They comprise orphan establishments, schools, hospitals for aged and impotent poor persons, lying-in hospitals, infirmaries, dispensaries, asylums for female penitents, houses of refuge, savings' banks, charitable loan funds, mendicity, and other associations. Such institutions are to be found chiefly in the cities and large towns. Dublin, Cork, Limerick, Waterford, Belfast, Londonderry and Drogheda, have each more or fewer of these charitable foundations. They are supported partly by donations, subscriptions, and bequests, and partly by collections at charity sermons. In Dublin, sermons of this nature are preached in one or other of the Roman Catholic places of worship, every Sunday throughout the year, with the exception of Easter; and few, if any, Sundays pass over without similar appeals to public bounty in several of the Protestant parochial churches and Dissenting meeting-houses. To enter into the details of management, even of the most remarkable, would be unsuitable to a work of this nature, and a mere catalogue of their names would be equally useless and uninteresting. The societies for the suppression of mendicity have been to a considerable extent superseded by the new poor law.

But though the means for the alleviation of suffering arising from

bodily infirmity, whether occasioned by sudden accident, or by the visitation of disease, were as great in Ireland as in most other countries, the suffering produced by the frequent destitution of large numbers of the able-bodied peasantry has attained a magnitude that baffles all the efforts of voluntary charity. Low wages and inconstant employment, occasioned by a redundancy of population, and the usual exhaustion of the supply of potatoes of the previous year before the crop of the succeeding year can be made use of, seem to be the immediate causes of this state of things. Its prevalence, as testified by the wide spread of mendicity, and the despair and outrage to which it necessarily leads, produced a strong and general conviction that the introduction of some sort of compulsory provision for the support of the destitute poor was absolutely necessary. And this was at length carried into effect, though in a way that admits of much amendment, by the Act 1 and 2 Vict., c. 56. We subjoin a remarkably clear and able exposition of the principles and working of the system introduced under this statute, derived from a gentleman engaged in its administration.

Present System of Irish Poor Laws.—The poor laws of Ireland date only from 1838, and are, in some respects, peculiar to that country, as distinguished not only from Scotland, England, and Wales, but also from every other country in Europe. Their chief peculiarity consists in this, that relief under them is administered solely in workhouses; and they thus differ from the Scotch poor laws, under which workhouses have scarcely been made use of at all, except in a few large towns, and from the English poor laws, which were intended by the legislature to be a mixed system of relief to the able-bodied in workhouses, and of relief to the impotent poor, partly in workhouses and partly at their own homes. They differ again from the English and Scotch poor laws in this, that while in England all destitute persons have a legal right to relief, and in Scotland all destitute impotent persons have a similar right (although in the latter country the able-bodied are not recognized as objects of relief from the assessments); in Ireland, on the contrary, no individual was intended to have a legal right to relief; but, at the same time, whether able-bodied or impotent, he may equally receive relief in a workhouse, provided he is destitute.

In order fully to understand the present system of Irish poor laws, it is desirable to be acquainted with the circumstances which led to its establishment. The introduction of poor laws into Ireland had been strongly advocated by various persons in this country for many years, and had been keenly opposed, on the other hand, not only by many who imagined that they had a direct pecuniary interest in resisting them, but likewise by speculative reasoners, whom the abuses of the old English poor laws, subsequent to the year 1795, had led to the conclusion that the principle of a legal provision for the destitute was in itself radically unsound. The supporters, however, of this opinion (which we believe to have been founded on fallacious reasonings) were unable to maintain their ground against the growing conviction, that Ireland ought not to be the only part of the empire in which the relief of the destitute should be generally left to the caprices of voluntary contributions. Accordingly, in September, 1833, Lord Grey's Government issued a Commission of Inquiry, consisting of nine individuals,

(including Dr. Whately, the Protestant archbishop, and Dr. Murray, the Roman Catholic archbishop of Dublin,) who were appointed to inquire "not only into the condition of the poorer classes of Her Majesty's subjects in Ireland, and into the various institutions then established by law for their relief;" but also, "whether any and what further remedial measures appeared to be requisite to ameliorate the condition of the Irish poor, or any portion of them." The Commissioners having appointed Assistant Commissioners, and instituted extensive and searching inquiries throughout Ireland, made their first Report (prefixed to a thick volume of Evidence) in 1835: and their second and third Reports were presented to Parliament in 1836. The third Report contained their recommendations; and as it is of some importance that they should be placed on record, we will briefly advert to them.

The proposed measures of relief for the poor were partly indirect and partly direct. The former scarcely fall within the subject of poor laws, and may, therefore, on the present occasion, be dismissed with a cursory notice. It may be proper, however, to state that they included the appointment of a Board, to be called the Board of Improvement, which was to be authorized to appoint Commissioners of Partition to make a survey, valuation, and partition of waste lands in Ireland; and in reference to lands already in cultivation, both draining and fencing, wherever necessary, were to be enforced by law, and the Board of Improvement was to be authorized to appoint local Commissioners for any district they might think proper. Their measures of direct relief for the poor involved, amongst other things, the introducing the following establishments or institutions:—

1. Asylums for the relief and support of lunatics and idiots.
2. Asylums for the support and instruction of the deaf and dumb and blind and poor.
3. Depôts for the destitute of every class and description who were fit subjects for emigration, and the furnishing to such persons a free passage to some British colony.
4. Penitentiaries for vagrants.
5. An institution in every relief district for the support and relief of cripples, and persons afflicted with epilepsy or other permanent disease.
6. An infirmary hospital and convalescent establishment in each relief district.
7. As many dispensaries as might be requisite. From these medical attendance was to be given, and a supply of food as well as medicine when the persons to be relieved were not in a state to be removed from home.
8. A provision by law towards the relief of the aged and infirm, orphans, helpless widows with young children, and casually destitute persons in general.
9. The building a mendicity or almshouse for any parish or parishes which might desire it.

The Commissioners recommended that the expenses to be incurred under the 1st, 2nd, 4th, and 9th heads should be defrayed from a national rate, to be levied over the whole of Ireland; and that the expenses under the 5th, 6th, and 7th heads should be defrayed from local assessments. They differed among themselves as to the best

means of raising the funds under the 8th head; some thinking that the necessary funds should be provided in part by the public, through a national rate, and in part by private associations; while others thought that the whole of the funds should be provided by the public, one portion by a national rate, and another by a local rate. And with reference to the 3rd head, viz., the depôts for emigration and the free passage to emigrants, it was proposed that one-half of the expense should be borne by the general funds of the empire, and that the other half should be defrayed partly by the national rate, and partly by the owners of the lands from which the emigrants removed, or from which they might have been ejected within the preceding 12 months, provided that they had previously resided thereupon for a period of three years.

Lord Melbourne's Government, to whom the above series of suggestions was submitted, felt unwilling to adopt plans of such novelty (in some particulars) and magnitude, more especially as they were apprehensive of the indefinite expense which some of the recommendations seemed to involve. And they were confirmed in these views by the opinion of some individuals who had paid especial attention to the subject of poor laws. Thus Mr. Senior, who had been one of the leading members of the English Poor Law Commission of Inquiry, and Mr. George Cornewall Lewis, both concurred in the opinion that the proposed system would not work, and in dissuading the Government from adopting it. The latter gentleman had previously published a valuable work on the causes of Irish disturbances, in which he had, amongst other measures, recommended the introduction of a poor law; he had likewise acted as an Assistant Commissioner on the Irish Commission of Inquiry, and had been employed, during 1834, by the Secretary of State for the Home Department, in making inquiries and in framing a Report on the condition of the Irish poor in Great Britain. At the request of some members of Government, he then drew up a separate paper (which was printed and presented to Parliament), in which he set forth in detail his objections to the measures which had been recommended by the Commissioners. In their stead he suggested a law for granting relief to the destitute solely in workhouses; and he particularly insisted on the advantage which his plan possessed in merely involving a moderate and well-defined expenditure, so that if the scheme failed, the country would be in quite as good a state as it was before, excepting merely that so much money would be laid out in building workhouses; whereas he condemned the proposals of the Commissioners, partly as impracticable, partly as leading to expenses, of which no one could foresee the limit, and partly as being of such a nature that if they turned out unsuccessful it would be found almost as difficult for the country to recede as to advance.

Eventually the Government determined not to act upon the suggestions of the Commissioners, and, in August, 1836, Lord John Russell, who was then Secretary of State for the Home Department, directed Mr. Nicholls, one of the English Poor Law Commissioners, (who had previously borne a prominent part as a private individual in administering the English poor law on correct principles at Southwell, in Nottinghamshire,) to proceed to Ireland, requesting him, among other things, to weigh the question, whether a rate limited in its

amount rather than in its application to particular classes, might be usefully directed to the erection and maintenance of workhouses for all those who sought relief as paupers? Mr. Nicholls proceeded to Ireland, and having visited various parts of the country, examining and inquiring into the several towns and districts through which he passed as to the condition and habits of the people, he returned to London and made his first Report, dated November 15th, in which he recommended a system of relief in workhouses corresponding in its main features with the system afterwards adopted. His recommendations were made the ground-work of a Bill which was introduced into Parliament in the session of 1837, but which did not then pass into a law. In the autumn of 1837 Mr. Nicholls, at the request of Lord John Russell, again visited Ireland, having received instructions to report whether anything which he was then able to observe or collect, caused him to alter or in anyway to modify his former opinions and recommendations. He then returned to London and presented to Lord John Russell his second Report, dated November 3rd, 1837, in which he adhered, with some trifling modifications, to his former suggestions; and on the 31st July, 1838, the Bill of the previous session, with some alterations, (the most important of which were the omission, contrary to Mr. Nicholls's views, of clauses for the suppression of vagrancy, and the substitution of an electoral division for a Union rating,) finally passed into a law.

It is upon this Act (the 1st and 2nd Victoria, c. 56), and the Irish Poor Law Amendment Act, passed in 1843 (the 6th and 7th Victoria, c. 92), that the present Irish poor laws are mainly based; and it is now proposed to give an outline of the system as it is actually in operation at present.

Relief, as we have already stated, is administered solely in workhouses. The whole of Ireland is divided into Unions; each Union has a workhouse, with paid officers for the relief of the destitute; and each workhouse is under the management of guardians, party *ex officio* and partly elected by rate-payers, subject, within certain limits, to the control of the Poor Law Commissioners, and thus the system may be conveniently described under the following heads:—

Unions.
Workhouses.
Inmates of workhouses.
Paid officers of the Union.
Guardians, or the elected body of managers.
Rate-payers or electors.
Poor rates.
Poor Law Commissioners.

1. The number of Unions into which Ireland is divided is 130. They differ, however, materially from one another, both in territorial extent and amount of population. Assuming that the area of Ireland, in accordance with the last census and Ordnance survey, is 20,808,271 statute acres, the average area of each Union is 160,063 acres; but North Dublin Union includes only 38,917 acres, while Ballina Union, in Mayo, amounts to 507,154. Again, an idea of their general size may be formed from the following statement:—There are only two Unions under the average diameter of 10 miles. There are 81 Unions,

of which the average diameter varies from 10 to 20 miles inclusive. There are 43 Unions, of which the average diameter varies from 20 to 30 miles inclusive; and there are two Unions, the average diameter of which exceeds 30 miles; and these, with the addition of two Unions, of which the exact size has not been calculated, make up the 130. Moreover, the Unions differ in population, as might be expected, from the varieties in the density of population in different parts of Ireland. The average population of each Union (calculated on the last census) is 62,885: but Gortin Union, in Tyrone, has a population of only 18,747 (which is the minimum), while South Dublin Union has a population of 178,745. The general principle which regulated the formation of the Unions was, that the Union should consist of the market town and the district surrounding and dependent on it. Neither county nor baronial boundaries were observed in any case in which a sufficient cause existed for departing from them; and the only unbending rule as to boundaries was, that no townland should be divided. At the same time the boundaries of property were observed, as far as was compatible with the general interest and convenience.

Each Union is divided into a certain number of electoral divisions, each of which has its respective guardians. The expense of paupers relieved in the workhouse is charged against the electoral division in which such paupers are registered as having been resident, and if they are not stated in the registry to have been resident within some electoral division, they are charged to the whole Union. The definition of residence for this purpose is, that a pauper, during the 18 calendar months before his admission into the workhouse, has occupied some tenement within the division for 12 calendar months; or if he have not so occupied some tenement, has usually slept within such division for the period of 12 calendar months. The clauses respecting the establishment of electoral divisions were not a part of Mr. Nicholls' recommendations, but were inserted in the original Act, at the suggestion of the Duke of Wellington. Their object was to give owners of property a more direct interest to look after the condition of the poor on their estates.

The total number of electoral divisions in Ireland is 2,049. The average number of electoral divisions in one Union is 15. The minimum number is in Clifden Union (which includes Connemara), which has only four divisions. The maximum is in Omagh Union, which has 29.

In the formation of electoral divisions, as in the formation of Unions, the only unbending rule was that no townland should be subdivided. This rule was prescribed by the legislature and no other principle was deemed imperative. Hence the townland may be regarded as the unit of the Poor Law Union territorial divisions.

In connexion with this head, it may be observed that, under the 44th section of the Irish Poor Relief Act, the elective guardians of any two or more divisions may obtain a common rating by signing an agreement to that effect, and the result would be that all the charges would then be borne in common by all the divisions of the Union. The attempt, however, to obtain a Union rate, which has been made in several instances, has succeeded only in one, viz., that of Dunmanway Union.

2. Every Union has one workhouse, and there are thus no less than 130 workhouses in Ireland. Of these 129 are fully in operation for the relief of the poor. The remaining one is Clifden workhouse, in Connemara; but this also is now ready for the reception of paupers, and a rate to enable the guardians to relieve them is in course of collection. With five exceptions (viz., in the Unions of North and South Dublin, Clonmel, Fermoy, and Cahirciveen,) all the workhouses are new buildings which have been erected since 1838. They were all built according to the plans of Mr. Wilkinson, the architect of the commission, who had previously been the architect of between 30 and 40 workhouses in England and Wales. The plans of nearly all are similar, according to their sizes, and the materials of the walls are, for the most part, of stone; and all the sites, were selected, and all the houses subsequently built, within the four years from 1838 to 1842. It was deemed desirable to introduce the new law with as great rapidity as possible; and hence some mistakes may have occurred regarding some of the sites and some of the buildings. In general, however, it may be stated, with confidence, that the sites were well selected, and that the houses are as substantially and well built as could possibly be expected under the circumstances. Moreover, their general appearance is, on the whole, an ornament to the country.

The workhouse is commonly situated at or near the chief market town of the Union; and all the new workhouses have a portion of land attached to them. The most usual extent of the workhouse grounds is about five or six acres, including the workhouse site; but in some instances the quantity is greater, (amounting indeed in one case to as much as 12 acres,) and in some instances it is less; so as not much to exceed three acres.

Every workhouse has an hospital connected with it, and the guardians of 50 Unions have either built or determined to build fever wards as a separate and distinct building.

The workhouses were built and fitted up by means of funds, supplied in advance by loans from Government. The total amount of the loans so borrowed in the 130 Unions up to the 1st of May last, was 1,145,150*l.* Comparing that amount with the entire valuation of Ireland, the result is an average rate of 1*s.* 8½*d.* per pound. The entire sum is payable by equal instalments over a period of 20 years, and the average portion annually payable in respect of the principal sum is, therefore, a small fraction above a penny in the pound. The amount of pressure, however, is very different in different Unions, as will be seen from the Table A. in the Appendix A.

The total number of inmates which the 130 workhouses are supposed to be able to accommodate is 93,860 (exclusive of the fever hospitals), which would give an average for each workhouse of 722 inmates; but the workhouses differ materially as to the accommodation which each can afford. The smallest sized house is adapted to contain 200, and the largest 2,000. The average cost of each house was 8,808*l.*, but Gortin workhouse (for 200 paupers) cost as little as 3,600*l.*, while Cork workhouse (for 2,000) cost as much as 21,000*l.*

3. The inmates of the workhouses in Ireland consist of the most destitute and helpless members of society, being chiefly aged and infirm, or permanently disabled, or widows and children. As destitution is in

itself a sufficient ground of admission, some of the inmates are able-bodied men. The ordinary weekly returns, however, have not hitherto taken special notice of the able-bodied as such; the only classification being, first, males aged 15 and upwards; 2ndly, females aged 15 and upwards; and, 3rdly, children under the age of 15. The number of inmates until the last two failures in the potato crop never was as great as 45,000, thus justifying the original estimate of Mr. Nicholls, who assumed that workhouse accommodation might occasionally be required for one per cent., or about 80,000 persons, but who did not anticipate that they would be more than one-half filled at an average of the whole year. The subjoined table contains a statement of the number for each week, from the week ended Saturday, December the 20th, 1845, to Saturday, November the 21st, 1846; together with the numbers during the corresponding weeks of the previous year. It is interesting as showing the effect of the distress on the number of inmates.

Summary of Weekly Returns of Paupers in the Workhouses in Ireland, distinguishing the Numbers of Males, Females, and Children; showing, also, the Number of Paupers in the Union Workhouses at the close of each Corresponding Week in the preceding Year.

Weeks ended Saturday.	Total Number of Paupers in the Workhouses at the Close of the Week.							Increase or Decrease over Preceding Week.	Number of Corresponding Weeks in the Preceding Year.		Increase in	
	Number of Workhouses open and included in Weekly Returns.	Males aged 15 and upwards.	Females aged 15 and upwards.	Children under age of 15.	Total Chargeable on Union.	Total Chargeable on Divisions.	Total Number of Paupers.		Number of Workhouses then Open.	Number of Paupers.	Number of Workhouses.	Number of Paupers.
1845—Dec. 20	123	8,338	12,825	19,955	6,139	34,979	41,118	..	113	39,096	10	2,022
27	124	8,357	12,828	20,033	6,302	34,716	41,218	100	113	39,234	9	1,984
1846—Jan. 3	123	8,581	13,313	20,780	6,318	36,596	42,624	1,406	114	40,074	9	2,550
10	123	8,812	13,654	21,277	6,459	37,255	43,744	1,120	114	40,960	9	2,784
17	123	8,102	14,642	21,864	6,662	38,146	45,008	1,264	114	41,636	9	3,372
24	123	9,342	14,410	22,524	7,060	39,136	46,246	1,238	114	42,562	9	3,684
31	123	9,510	14,743	23,992	7,143	40,172	47,315	1,069	114	43,430	9	3,885
,, Feb. 7	123	9,624	14,993	23,472	7,186	40,813	47,999	684	114	43,770	9	4,229
14	123	9,641	15,060	23,730	7,302	41,149	48,461	462	118	43,947	8	4,514
21	123	9,613	15,077	23,773	7,314	41,149	48,463	2	115	43,900	8	4,563
28	123	9,656	15,114	24,014	7,349	41,435	48,784	321	115	43,854	8	4,930
,, Mar. 7	123	9,750	15,278	24,391	7,299	42,120	49,419	635	115	43,729	8	5,690
14	123	9,790	15,315	24,574	7,562	42,107	49,669	250	116	43,367	7	6,302
21	123	9,849	15,456	24,874	7,654	42,525	50,179	510	116	42,812	7	7,367
28	123	9,911	15,610	25,196	7,697	43,020	50,717	538	116	42,234	7	8,483
,, Apr. 4	122	9,224	15,649	25,411	7,684	43,204	50,888	171	117	41,651	6	9,237
11	124	9,768	15,451	25,293	7,663	42,849	50,512	376	117	40,788	7	9,724
18	125	9,756	15,424	25,476	7,682	42,874	50,556	44	117	40,240	8	10,316
25	125	9,658	15,426	25,560	7,615	43,029	50,644	12	118	39,538	7	11,106
,, May 2	125	9,601	15,289	25,462	7,608	42,744	50,352	292	118	39,480	7	10,872
9	126	9,612	15,301	25,598	7,688	42,823	50,511	159	118	39,141	8	11,370
16	126	9,681	15,369	25,749	7,583	43,227	50,810	299	118	38,848	8	11,962
23	126	9,768	15,476	25,963	7,760	43,467	51,229	419	118	38,590	8	12,042
30	127	9,708	15,498	25,995	7,687	43,534	51,221	28	118	38,775	9	12,459
,, June 6	127	9,657	15,496	26,041	7,640	43,594	51,234	35	118	38,876	9	12,465
13	127	9,704	15,472	26,105	7,636	43,625	51,261	27	118	38,882	9	12,372
20	127	9,697	15,464	26,053	7,702	43,452	51,154	127	119	38,815	8	11,909
27	127	9,579	15,332	25,844	7,693	43,061	50,754	400	119	38,753	8	11,945
,, July 4	127	9,623	15,210	25,760	7,714	42,834	50,548	156	119	38,860	8	11,549
11	127	9,567	15,123	25,659	7,676	42,602	50,309	229	119	38,945	8	11,341
18	127	9,557	15,110	25,619	7,634	42,652	50,286	83	119	38,950	8	10,928
25	127	9,419	14,960	25,379	7,346	42,412	49,758	528	119	38,638	9	10,624
,, Aug. 1	128	9,200	14,752	25,624	7,423	41,534	48,957	801	119	38,617	9	7,949
8	128	8,747	13,983	23,836	7,072	39,494	46,566	2,391	119	37,914	9	6,453
15	128	8,444	13,242	22,681	6,733	37,634	44,367	2,199	119	37,065	9	6,906
22	128	8,254	13,101	22,517	6,665	37,207	43,872	495	119	35,601	9	7,853
29	128	8,250	13,018	22,396	6,699	36,965	43,654	218	119	34,712	9	8,687
,, Sept. 5	128	8,441	13,112	22,696	6,774	37,505	44,279	625	119	34,197	9	11,332
12	128	8,676	13,527	23,334	6,974	38,561	45,535	1,256	119	33,963	9	13,006
19	128	8,789	13,958	24,107	7,027	39,977	47,004	1,469	119	33,535	9	13,513
26	128	9,328	14,515	25,310	7,410	40,738	48,148	2,144	119	33,938	9	17,387
,, Oct. 3	128	9,639	15,207	26,679	7,679	43,846	51,525	2,377	120	34,070	8	21,233
10	128	10,144	16,279	28,920	8,254	47,089	55,343	3,818	120	34,822	8	25,339
17	129	10,745	17,461	31,455	8,958	50,703	59,661	4,318	120	34,400	8	29,713
24	129	11,336	18,756	34,020	9,481	54,632	64,113	4,452	121	34,564	8	34,276
31	128	11,802	20,037	37,001	9,723	59,117	68,840	4,727	121	33,009	7	35,467
,, Nov. 7	129	12,516	21,443	39,917	10,183	63,913	74,096	5,256	122	35,711	7	40,189
14	129	12,730	22,479	41,441	10,332	66,238	76,650	2,554	122	36,802	7	43,738
21	129	13,172	23,701	43,727	10,994	69,706	80,600	3,950				

It will be seen from the above statement, that the number of inmates has increased to 80,600, being 43,798 more than in the corresponding week of 1845, and which somewhat exceeds the number originally contemplated by Mr. Nicholls. Although the weekly returns do not present a minute classification of the pauper inmates, yet returns have from time to time been made, which enable us to form an accurate idea on this point. Thus a return is given in the Appendix B., which presents a summary of the number of paupers in the workhouse at four different periods, distinguishing the able-bodied, aged 15 and upwards, from the aged and infirm, or permanently disabled. From this return, it appears, that on the 31st of January, 1845, when the total number of paupers was 43,293, the number of the able-bodied was 9,231, of whom only 2,809 were males, while 6,422 were females. It further appears that the number of the aged and infirm, or permanently disabled, was 11,441, while the total number of all other classes was 22,621.

Again, in the year 1844, very minute statistical tables were framed, showing the social and domestic condition of 27,529 adults, and of 22,585 children in workhouses. The detailed result is given in Appendix C., but it may be useful to remark, that of the adults, 5,942 were widows and 3,622 widowers, and that of the 22,585 children, as many as 19,886 were legitimate, of whom 4,164 were orphans.

There is no reason to believe that the relative proportion of numbers in any of these classes has materially altered since the above analysis was made.

Until the late failure in the potato crop, the ordinary dietary recommended by the Commissioners for adults in workhouses, consisted of seven or eight ounces of oatmeal made into stirabout, with half a pint of new milk for breakfast, and four pounds of potatoes weighed (raw) with a pint of buttermilk for dinner, with a variation of broth for dinner during two days in the week. Since the failure of potatoes, the most common substitute at dinner has been Indian meal.

There are few workhouses in which the adults have more than two meals a-day, inasmuch as three meals a day are not common amongst the lowest class of independent labourers.

The average weekly cost per head of paupers for the whole of Ireland, during the half-year ended September, 1845, was 1*s.* 8*d.*, of which 1*s.* 5½*d.* was for provisions and necessaries, and 2½*d.* for clothing. Mr. Nicholls had estimated the average cost at 1*s.* 6*d.* per head.

4. Every Union in Ireland has a staff of paid officers, of which the following is a correct list, in reference to workhouses of an average size. In some of the largest workhouses there are a few additional assistants, and in 20 Unions, more especially, there is an apothecary, in addition to the medical officer. The average remuneration of each officer, and the maximum allowed in any Union, are annexed to the designation of each.

All these officers, except the returning officer and the chaplains, are appointed by the guardians, but are removable for unfitness or incompetency by the Commissioners.

The duty of providing for the due performance of religious service

in workhouses is specially devolved upon the Commissioners, and they appoint chaplains for this purpose, and regulate their salaries, being bound however to give preference to individuals who officiate within the parish in which the workhouse is situated, and also not to appoint more than three in one Union, viz.: one of the Established church, one of the Roman Catholic church, and one dissenting minister. The latter expression is found in practice to be synonymous with a minister of the Presbyterian church; and in the north of Ireland, in which the Presbyterians are a numerous body, there are as many as three chaplains for some workhouses. There are, however, only 36 workhouses in which the appointment of a Presbyterian chaplain is found necessary. In regulating the chaplains' salaries, the ordinary principle adopted was to proportion the remuneration to the labour to be performed by each; and as Roman Catholics are far more numerous amongst the inmates than the members of any other religious persuasion, this will explain the higher rate of remuneration to the chaplains of the Roman Catholic church.

Name of Officer.	Average Amount of Salary.	Maximum Salary.
	£. s.	£.
Clerk	54 2	130
Master	41 18	100
Matron	24 15	60
Chaplains:—		
Established Church	25 12	60
Roman Catholic	41 7	100
Presbyterian	25 10	40
Medical Officer	54 10	100
Schoolmaster	17 16	30
Schoolmistress	13 13	25
Porter	11 3	26
Returning Officer	10 0	25
Collector of Poor Rates	7*d.* in the pound on money collected.	30*d.* in the pound.

The above system is a striking instance of the recognition on a large scale of the principle that the ministers of the three religious persuasions are, as such, on an absolutely equal footing, and are equally entitled to remuneration from the local taxes.

The total amount of salaries and rations for Union officers in 112 Unions during the half-year ended the 29th of September, 1845, was 22,464*l.* 10*s.* 2½*d.*

5. The immediate control and superintendence of the workhouse, and the paid officers, is vested in the Board of Guardians of the Union to which the workhouse belongs, but no individual guardian, except in two special cases, has power to act in virtue of his office, except as a member, and at a meeting of a Board of Guardians, and no Act of any such meeting is valid unless three members are present and concur.

Guardians are either elective or *ex officio*.

The elective guardians are elected annually, in March, by the ratepayers of the respective electoral divisions. Any male person of full age who has not been convicted of certain offences, and who is not in holy orders, or a regular minister of any religious denomination, is eligible as

a guardian, provided that he has the requisite qualification in the Union. The qualification must not exceed the nett annual value of 30*l.*, but is otherwise left to be settled by the Commissioners, in reference to the circumstances of each Union. In practice, the qualification has never been fixed below 5*l.*

The total number of elective guardians in Ireland is 3,293, which, on an average, is less than two for each electoral division. However, for some divisions, especially in Unions which consist partly of a large town population and partly of rural districts, the number is greater.

Thus, in North and South Dublin Unions respectively, the number of guardians for the divisions, which include the city, is 18. But every electoral division, however small, has at least one guardian.

The average number of elective guardians for each Union is 25. One Union, however, viz., Clifden, has as few as 12; and one, viz., Kilkenny, has as many as 47.

With certain exceptions, every justice of the peace residing in a Union, and acting for the county in which he so resides, is an *ex-officio* guardian, provided that the total number of justices so qualified does not exceed one-third of the elective guardians. If the number of such justices exceeds that proportion, they meet every year in September and elect from their own body the number allowed by the law.

The total number of *ex-officio* guardians in Ireland is 1,050; the average number for each Union being 8, the minimum 2, and the maximum 15; and the total number of elective and *ex-officio* guardians is 4,343.

The Boards usually meet once a-week; and there is some reason to believe that the results of this system of local government have been, on the whole, beneficial in mitigating religious and political animosities. It has been observed that individuals of different creeds and political opinions have officially acted together for the first time in their lives; and have thus frequently learned to know and esteem each other.

Some of the Boards of Guardians have occasionally passed resolutions on the subject of the Repeal of the Union; but otherwise they have generally avoided the discussion of political questions; and have confined themselves to the discharge of their appropriate duties.

6. *The Constituency.*—Every rate-payer of a Union who, under the poor-rate last made, has paid or contributed rate, or is liable to pay or contribute rate in respect of property in such Union, is entitled to vote at every election of guardians.

A rate-payer is defined to be—

1st.—Every occupier paying rate and not entitled to deduct the whole thereof from the rent paid by him.

2nd. Every person receiving, in respect of any rateable property, rent from which any deduction shall be made on account of rate, in case such rent shall exceed all rent paid by him in respect of the same property. And

3rd. Every owner of tithe; although, however, every rate-payer has one vote, both occupiers, landlords, and tithe owners, may have more than one according to a certain scale which has been fixed by Act of Parliament. This scale, however, is so adjusted that no one individual

in the capacity of either owner or occupier alone can have more than six votes.

In the original Poor Law Relief Bill, contrary to Mr. Nicholls's recommendations, no occupier, however small his holding, was exempted from the payment of poor-rates. It was afterwards found, however, that the number of small rate-payers was so large, the line of demarcation between the lowest rate-payer and the destitute so difficult to draw, and the amount to be collected from the lower classes so very small compared with the cost and trouble of the collection, that the law was altered in 1843 so as to exempt the occupier in cases wherein the net annual value of all the rateable property occupied by any one person in the Union did not exceed 4*l.* In all such cases the rate is now made on the immediate lessor, and a fertile source of discontent has been removed.

The exact number of rate-payers in Ireland at the present time has not been ascertained. The best approximation to the truth is afforded by a return made in 1843. From that return it appears that the total number of rate-payers was than 997,434, and that of these 461,895 were rated at the annual value of only 4*l.* and under. If all these were deducted, there would still remain 535,539 rate-payers; and even making allowance for the exemption of occupiers, under certain circumstances in certain boroughs, the annual value of whose property is 8*l.*, there can be little doubt that the number of electors in the Irish Poor Law Unions is more than half a million.

7. Having treated of the rate-payers, we proceed to notice more especially the subject of the *Poor Rates*, and will consider—

1st. The property on which it is imposed.
2nd. The districts over which it extends.
3rd. The mode of its assessment, collection, and expenditure.
4th. Its annual amount.

(1). The property liable to poor-rates consists of the hereditaments declared to be rateable under the 63rd section of the original Act, viz.—

All lands and buildings;
Mines which have been open seven years;
Commons, rights of commons, and all other profits out of land;
Rights of fishery;
Canals, navigations, and rights of navigation;
Rights of way, and other rights and easements over land, and tolls levied in respect thereof;
All other tolls.

The following kinds of property are exempted from poor-rates:—

Turf bogs, or turf banks, for which rent or valuable consideration is not payable;
Church, chapel, or other building exclusively dedicated to religious worship, or exclusively used for education of the poor;
Burial ground or cemetery;
Infirmary, hospital, charity school;
Other buildings used exclusively for charitable purposes;

Any building, land, or hereditament, dedicated to or used for public purposes (s. 63).

By a proviso at the end of the same section, any person directly "deriving any private profit or use" from the property exempted as above, is declared "liable to be rated as an occupier according to the annual value of such profit or use." Under these words owners receiving rents in respect of such exempted property have been hitherto almost universally rated for the nett annual value of such rents; but by a recent decision of the Court of Queen's Bench, such parties have been declared not to be rateable for their rents.

(2). The district to which the assessment for poor-rates extends is,—

1. The whole Union, when an equal rate is made upon the whole.

2. Any single electoral division, when an equal rate is not made upon the whole Union.

Whether the assessment is of the whole Union, or of a single electoral division, the rates levied on each electoral division form a separate fund, for the disbursement of which the guardians account separately with the division. Part of the disbursement of this fund is on account of the electoral division alone; as that for the maintenance and clothing of paupers belonging to the division, or for the poundage fees of collectors; another part it bears in common with the other electoral divisions of the Union, and these common charges are fixed on the electoral division in the proportion of its net annual value, according to the valuation in force for the time being.

(3). The agency provided for the assessment and collection of the poor-rate, is as follows:—

The Poor Law Commissioners prescribe the form of rate, 6th and 7th Vict., c. 92, s. 10. The guardians by 1st and 2nd Vict., c. 56, s. 66, and the Poor Law Commissioners under the same section, and under 7th section of 6th and 7th Vict., c. 92, are empowered to provide for the valuation of the rateable property.

The guardians under section 61 of the original Act, and under section 10 of the Amendment Act, make the rate; the clerk of the Union first certifying that the rate is in accordance with the valuation in force for the time being; the guardians in the next place adopting the rate, and the chairman of the meeting, and two other guardians present at the meeting, signing the allowance of the rate.

The collectors of the poor rates are—

1. Any collector of county (grand jury) cess for any part of the electoral division for which the rate is made who may be approved by the Poor Law Commissioners, and give security to the satisfaction of the Commissioners, and accept the salary or allowance approved by the Commissioners (1st and 2nd Vict., c. 56, s. 73.)

2. If the county cess collector do not give satisfactory security, nor accept the allowances offered, the rate may be levied by any other officer of the Union, who shall, with the approval of the Commissioners, be thereunto appointed and authorized by the guardians, (*ibid.*)

The guardians are to issue to each collector, warrants under their

seal, specifying the amount to be levied on each electoral division in his district, and the proportions to be paid by the parties liable, (*ibid.*)

The collector having received his warrant, has the same powers for levying the rates as the county cess collector, that is to say—

1. He may destrain and sell at once under his warrant from the guardians, taking, in addition to the rents due, 12*d.* in the pound, for the costs of distress and sale.

2. He may, after six days' notice, and non-payment in that time, summon before a justice of the peace, and obtain justice's warrant of distress, with such costs as the justice may deem reasonable.

3. He may proceed by civil Bill, where the sum does not exceed 50*l.* See 1st and 2nd Vict., c. 56, s. 73, and 6th and 7th Will. IV., c. 116, ss. 152, 153.

If the rate be not paid within two months, the collector may proceed as by distress for rent (s. 78).

Where the immediate lessor is liable under the 6th and 7th Vict., c. 92, the collector may, in addition to the above powers, proceed in any of the superior courts in the name of the guardians, and with the consent of the Poor Law Commissioners (s. 2), or he may distrain on the occupier, having first served notice (s. 3.), and the occupier can recover the amount from his landlord.

By the rules and regulations of the Poor Law Commissioners, each collector is required to give a bond to the guardians, with sufficient securities, to pay over the rates collected by him to the treasurer of the Union, and he is required to pay over what he collects every week, and as often as the sum in his hands amounts to 50*l.*

The disbursements of poor-rate are made by the Board of Guardians; and by a regulation of the Poor Law Commissioners, they are required to pay every sum amounting to 3*l.*, by a separate draft on the treasurer.

The accounts of the guardians are required to be made up half-yearly, (1 and 2 Vict., c. 56, c. 44.)

The accounts of the guardians and their officers are subject to audit by auditors appointed by the Poor Law Commissioners (ss. 84 and 95). There are at present four auditors of Union accounts in Ireland.

(4) The annual expenditure of poor-rates, made since the passing of the Act, has been returned to Parliament as follows:—

Total expenditure during the year ended—

	£.	Number of Unions.
1st January, 1841 . . .	37,057	4
,, 1842 . . .	110,277	37
,, 1843 . . .	281,233	92
,, 1844 . . .	244,374	106
,, 1845 . . .	269,529	112
Total expenditure as shown by the clerks' returns, year ended—		
1st January, 1846 . . .	316,026	123

The following table exhibits a Summary of the expenditure for four half-years, derived from the Abstracts of the Audited Accounts:—

Expended under the following Heads.	99 Unions. Half Year ended 29th Sept., 1843.	106 Unions. Half Year ended 25th Mar., 1844.	109 Unions. Half Year ended 29th Sept., 1844.	109 Unions. Half Year ended 25th Mar., 1845.
Maintenance and Clothing :—	£. s. d.	£. s. d.	£. s. d.	£. s. d.
On account of Electoral Division Paupers	60,590 13 8	62,428 6 0¼	71,592 8 0¼	68,152 15 11¼
On account of Union Paupers	7,125 10 5¼	8,877 11 5	11,491 13 5¼	11,066 16 7¼
Total	67,716 4 1¼	71,305 17 5¼	83,084 1 5¼	79,249 12 7
Establishment	36,304 13 9¼	37,352 18 7	37,307 10 0¾	37,923 19 8¾
Repayment of Workhouse Loans	5,198 12 8	4,770 0 0	4,584 3 4	2,590 0 0
Vaccination	1,804 13 0¾	2,372 15 0	1,790 17 7¼	1,552 2 11
Valuing or revising Valuations	1,981 6 7	3,150 7 8	1,723 11 5	2,133 19 6
Collectors' Poundage, or other Remuneration	2,069 3 0¾	3,502 14 6¼	3,031 4 5¼	3,867 9 6¼
Emigration	. .	. .	101 13 11	48 15 1
Emigration Loan, repayment of	. .	. .	. .	. .
Funerals, Election, Law, and other Expenses	3,375 8 11	8,212 16 3¼	4,192 18 10¼	6,700 10 7¼
Total Expenditure	118,450 2 2	130,667 9 6¼	135,816 1 1¼	134,066 9 11¼

We will only add on this head that the nett annual value of all the property rated in Ireland is 13,253,825*l.*, and that the expenditure of 316,026*l.* for 1846 would be equal to an average rate of 5½*d.* in the pound for the year. The pressure, however, varied materially in different Unions and electoral divisions; and the above expenditure was only in 123 Unions out of the 130.

8. The carrying the Irish Poor Law Act into execution was intrusted to the English Poor Law Commissioners; but at the same time it was provided that any one of the Commissioners, when required by one of Her Majesty's principal Secretaries of State, or when the Board should deem fit, might act in Ireland, and should have the same powers as the Board of Commissioners, except the power of making general rules.

The powers given to the Commissioners were of the most extensive nature, and they were vested in Mr. Nicholls, who went to reside in Dublin as resident Commissioner. The responsibility of dividing the country into Unions and of causing the 130 workhouses to be built devolved upon him. For dividing the country into Unions, adjusting the boundaries of the electoral divisions, determining the number of guardians, and otherwise bringing the Act into operation, he took with him from England four English Assistant Commissioners, with whom four Irish Assistant Commissioners were associated; and three other Assistant Commissioners were added in the following year. For building the workhouses Mr. Wilkinson was appointed architect, and the 123 new workhouses, as we have already stated, were erected by him.

In order to prevent undue pressure on particular workhouses, and for other reasons of policy, it was deemed advisable to introduce the new law with celerity; and so much energy was shown on this head, that although Mr. Nicholls only reached Dublin on the 4th September, 1838, as many as 104 Unions were established by the 25th March, 1840, and the Commissioners were enabled to state, in their Annual Report

in May, 1842, that 81 workhouses had been declared fit for the reception of destitute poor, and that all the workhouses were either built or in progress of building. Mr. Nicholls finally left Ireland in December, 1842, and subsequently the business of the Dublin office was conducted by two Assistant Commissioners, Mr. Gulson and Mr. Power, who acted under a delegation from the Central Commission. A fourth Poor Law Commissioner, Mr. Twisleton, intended to reside in Dublin, was appointed in November 1845, and the previous delegation ceased.

At present the number of Assistant Commissioners who have districts in Ireland is 5.

The general powers of the Commission in Ireland resemble so closely, for the most part, the powers of the Commission in England, that it is unnecessary to state them in detail. Moreover, the rules, orders, and regulations for the government of workhouses, and the guidance of paid officers of the Unions in Ireland, bear such a general resemblance to those which are in force in England and Wales, that they need not be recapitulated on this occasion. But we will close these remarks by mentioning a few points in which the powers of the Commission in Ireland exceed its powers in England.

1st. The appointment of chaplains and auditors is vested in them, and not in the Board of Guardians, as in England.

2ndly. If, after the dismissal of any paid officer, the guardians refuse or neglect to appoint a fit and proper person in his room, the power of appointment devolves upon the Commissioners.

3rdly. Although the Commissioners are expressly precluded from interfering to order relief in any individual case, yet if regular meetings of the Board of Guardians of any Union are not held at the times enjoined by the orders of the Commissioners, or if, through the default of the guardians, their duties at the Board of Guardians are not effectually discharged according to the intention of the Irish Poor Relief Act, the Commissioners have the power of dissolving such Board, and of ordering a new election; and if the new Board of Guardians should in like manner fail to discharge their duties effectually, the Commissioners have the power of appointing paid officers to carry the Act into execution.

In practice, however, they have never had occasion to appoint paid officers; and it is only in two instances that they have dissolved a Board of Guardians.

4thly. In regard to valuers for the poor law survey and valuation, the Commissioners had the power either to appoint or to direct the guardians to appoint professional valuers. In practice the Commissioners almost invariably left these appointments to the guardians, from deference to the principle of local government. It may be doubted, however, whether the valuations would not have been more uniform and more correct, if the appointments had been, in every case, made by the Commissioners.

For further details on the Irish poor law see the following Acts:—1 and 2 Vic., c. 56; 2 Vic., c. 1; 5 and 6 Vic., c. 97; 6 and 7 Vic., c. 92.

[N.B. A well-digested work, published this year by Mr. Arthur

Moore, the chief clerk of the Commission in Ireland, contains, in one volume, all the Acts of Parliament on the subject, and all the general orders of the Commissioners, together with other useful information.*]

APPENDIX A.

Table showing the Amount of Building Loans, the Nett Annual Value of Rateable Property, and the Proportions per £. of Loan to Nett Value for each Union in Ireland.

Names of Unions.	Amounts Borrowed for Building the Work-house.	Nett Annual Value of the Property Rated in the Union.	Proportions per £ of Loans to Nett Value.	Names of Unions.	Amounts Borrowed for Building the Work-house.	Nett Annual Value of the Property Rated in the Union.	Proportions per £ of Loans to Nett Value.
	£.	£.	s. d.		£.	£.	s. d.
Abbeyleix	7,950	67,232	2 4	Kanturk	9,300	106,538	1 8½
Antrim	7,600	100,667	1 6	Kells	8,650	124,194	1 4½
Ardee	7,500	93,134	1 7½	Kenmare	6,550	24,862	5 8½
Armagh	14,000	175,999	1 7	Kilkeel	6,300	36,770	3 5
Athlone	10,000	109,056	2 0	Kilkenny	13,400	242,002	1 1½
Athy	7,000	102,992	1 4½	Killarney	9,700	85,581	2 3½
Ballieborough	8,600	52,027	3 3½	Kilmallock	10,600	126,717	1 2½
Ballina	12,000	96,236	2 6	Kilrush	9,350	58,867	3 2
Ballinasloe	10,600	154,399	1 4½	Kinsale	8,150	74,043	2 2½
Ballinrobe	8,800	85,217	2 0½	Larne	7,800	66,629	2 4½
Ballycastle	5,700	39,150	2 10½	Letterkenny	7,400	31,808	4 7½
Ballymena	9,000	97,403	1 10	Limerick	15,600	212,905	1 5½
Ballymoney	9,200	73,042	2 6	Lisburn	9,300	134,368	1 4½
Ballyshannon	6,400	51,435	2 5½	Lismore	7,700	64,460	2 4½
Balrothery	7,000	90,702	1 6½	Lismaskea	8,100	46,919	3 5½
Baltinglass	7,800	91,767	1 6½	Listowel	8,700	95,457	1 9½
Banbridge	10,000	123,712	1 7½	Londonderry	10,100	109,414	1 10
Bandon	8,850	138,078	1 5½	Longford	9,950	124,496	1 7
Bantry	7,750	41,725	3 8½	Loughrea	8,700	91,149	1 10½
Belfast	13,500	261,242	1 0½	Lowtherstown	7,800	39,793	3 8
Boyle	9,300	81,227	2 3½	Lurgan	9,550	92,231	1 10½
Cahirciveen	6,700	27,699	4 10	Macroom	8,300	93,863	1 9½
Callan	7,750	84,456	1 10½	Magherafelt	9,250	75,188	2 5½
Carlow	11,500	176,384	1 3½	Mallow	9,500	143,019	1 3½
Carrickmacross	7,200	46,325	3 1	Manor Hamilton	6,900	47,284	2 11
Carrick-on-Shannon	9,600	61,450	3 1½	Midleton	9,350	163,144	1 1½
Carrick-on-Suir	7,300	89,957	1 7½	Milford	6,700	31,373	4 3½
Cashel	8,000	130,782	1 2½	Mohill	8,650	57,777	3 0
Castlebar	8,050	50,932	3 2	Monaghan	10,200	94,535	2 1½
Castleblaney	8,100	65,470	2 5½	Mountmelick	8,300	90,044	1 9½
Castlederg	3,450	21,761	3 2	Mullingar	9,400	198,561	0 11½
Castlerea	11,000	114,349	1 11	Naas	9,000	134,671	1 4
Cavan	13,400	125,480	2 1½	Navan	7,300	111,135	1 3½
Celbridge	6,500	130,123	1 0½	Nenagh	10,400	136,587	1 6½
Clifden	4,300	20,342	4 7½	Newcastle	10,150	118,215	1 9½
Clogheen	7,150	62,506	2 3½	New Ross	9,700	109,816	1 9
Clogher	7,200	42,291	3 4½	Newry	12,450	134,086	1 10½
Clones	7,750	55,105	2 9½	Newtownards	7,750	118,483	1 3½
Clonmel	2,900	91,037	0 7½	Newtown Limavady	8,000	65,560	2 5½
Coleraine	9,650	76,897	2 6	Oldcastle	8,150	79,841	2 0½
Cookstown	7,000	56,606	2 5½	Omagh	9,050	75,378	2 4½
Cootehill	10,600	82,845	2 6½	Parsonstown	9,400	107,123	1 9½
Cork	21,000	372,383	1 1½	Rathdown	9,600	173,937	1 1½
Donegal	7,550	82,073	4 5½	Rathdrum	8,300	154,407	1 0½
Downpatrick	12,300	167,382	1 5½	Rathkeale	9,700	137,160	1 4½
Drogheda	9,850	129,444	1 6	Roscommon	9,350	86,666	2 1½
Dublin, North	8,000	384,550	0 5	Roscrea	9,400	102,178	1 10
Dublin, South	10,000	563,954	0 4½	Scariff	8,650	44,970	3 10
Dundalk	9,100	102,655	1 9½	Shillelagh	7,300	64,204	2 3½
Dunfanaghy	5,000	10,657	9 4½	Skibbereen	9,400	97,923	1 11
Dungannon	9,150	50,035	2 9½	Sligo	13,250	144,047	1 10
Dungarvan	10,100	93,719	2 1½	Strabane	9,750	81,828	2 4½
Dunmanway	6,750	43,468	3 1½	Stranorlar	6,700	29,422	4 6½
Dunshaughlin	6,750	119,077	1 1½	Swineford	9,600	45,966	4 2
Edenderry	7,950	93,932	1 7½	Thurles	8,550	110,998	1 6½
Ennis	8,600	109,899	1 8½	Tipperary	8,150	148,725	1 1
Enniscorthy	7,550	126,787	1 2½	Tralee	10,450	118,575	1 10
Enniskillen	11,200	97,859	2 3½	Trim	8,750	100,950	1 8½
Ennistymon	8,400	67,486	2 5½	Tuam	8,500	86,236	1 11½
Fermoy	7,100	154,788	0 11½	Tullamore	8,350	86,339	1 11½
Galway	12,500	101,831	2 5½	Waterford	11,350	199,341	1 1½
Glenties	6,600	16,344	8 0½	Westport	9,800	98,875	5 0½
Gorey	7,500	93,658	1 7½	Wexford	6,800	113,740	1 2½
Gort	6,550	53,067	2 7				
Gortin	3,600	15,763	4 6½				
Granard	7,500	50,040	1 8	Total, 130 Unions	1,122,850	13,204,234	1 8½
Inishowen	7,600	36,926	4 1½				

Average for each Union, £8,637.

* Dublin, Alexander Thom, 1846.

APPENDIX B. *Summary of the Numbers of Paupers, distinguishing the Number of Able-bodied, in Workhouses in Ireland, on the 25th of March, in the Years* 1844, 1845, *and* 1846, *respectively.*

Dates.	Number of Workhouses open.	NUMBER OF PAUPERS.								
		Able-bodied.			Other Inmates.			Total Numbers.		
		Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total Number of Inmates.
On 25th March, 1844 .	109	1,780	5,386	7,166	16,067	16,250	32,317	17,847	21,636	39,483
On 25th March, 1845 .	116	1,788	5,309	7,097	17,517	17,902	35,419	19,305	23,211	42,516
On 25th March, 1846 .	123	1,984	6,262	8,246	20,985	21,144	42,129	22,969	27,406	50,375

APPENDIX B. *Summary of the Numbers of Paupers in the Workhouses in Ireland, on 31st January and 31st July,* 1844, *and 31st January and 31st July,* 1845, *respectively; distinguishing the several Classes, the Numbers chargeable upon particular Electoral Divisions, and the Numbers chargeable to the Union at large; with the Number of Workhouses open on each of the above dates.*

Dates.	Number of Workhouses open.	NUMBER OF PAUPERS IN THE WORKHOUSES.													
		Charged upon particular Electoral Divisions.					Charged upon the Union at large.					Total Numbers in Workhouses.				
		Aged and Infirm, or Permanently Disabled.	Able-bodied aged 15 and upwards.			All other Classes.	Total charged upon Electoral Divisions.	Aged and Infirm, or Permanently Disabled.	Able-bodied aged 15 and upwards.			All other Classes.	Total charged upon the Union at large.	Aged and Infirm, or Permanently Disabled.	Able-bodied aged 15 and upwards.			All other Classes.	Total Number of Paupers.
			Males.	Fem.	Total.				Males.	Fem.	Total.				Males.	Fem.	Total.		
On 31st January, 1844.	107	8,898	1,997	4,551	6,548	17,005	32,451	1,221	384	814	1,178	2,244	4,643	10,119	2,361	5,365	7,726	19,249	37,094
On 31st July, 1844 . .	112	9,067	1,974	4,712	6,686	17,940	33,693	1,291	368	816	1,184	2,686	5,161	10,358	2,342	5,528	7,870	20,576	38,794
On 31st January, 1845.	114	9,895	2,343	5,426	7,769	19,443	37,107	1,546	466	896	1,462	3,178	6,186	11,441	2,809	6,422	9,231	22,621	43,293
On 31st July, 1845 . .	119	9,173	1,363	4,434	6,297	18,042	33,512	1,465	351	801	1,157	2,847	5,489	10,638	2,219	5,235	7,454	20,689	39,001

APPENDIX C. *Table showing the Social and Domestic Condition of Persons relieved in Union Workhouses in Ireland.*

Of Adults (aged 15 Years and above).												Of Children Legitimate.													Of Children Illegitimate.				
Married.				Single.				Not specified.				Fatherless.		Motherless.															
Men whose Wives are in the Workhouse.	Men deserted by their Wives.	Others whose Wives are not in the Workhouse.	Women whose Husbands are in the Workhouse.	Women deserted by their Husbands.	Others whose Husbands are not in the Workhouse.	Men.	Women not having Children.	Women having Children.	Widows.	Widowers.	Males.	Females.	Total of Adults.	Both Parents in the Workhouse.	Mothers in the Workhouse.	Deserted by Mothers.	Others whose Mothers are not in the Workhouse.	Fathers in the Workhouse.	Deserted by Fathers.	Others whose Fathers are not in the Workhouse.	Deserted by both Parents, including Foundlings.	Others whose Parents are not in the Workhouse.	Deserted by Fathers, Mothers being in the Workhouse.	Others whose Mothers only are in the Workhouse.	Deserted by Mothers, Fathers being in the Workhouse.	Others whose Fathers only are in the Workhouse.	Orphans.	Total Legitimate Children.	Mothers in the Workhouse.	Deserted by Mothers.	Others whose Mothers are not in the Workhouse.	Mothers dead.	Total Illegitimate Children.	Children whose Condition is not specified.	Grand Total of Children.
1209	503	630	1299	1694	447	4830	5703	1149	5942	3629	59	81	27,529	2780	4639	621	383	696	646	197	929	926	3294	691	111	169	4164	19,986	1976	247	231	185	2639	60	22,585

Note to Table, Appendix C.

—	Of the Women "whose Husbands are not in the Workhouse," the Husbands of 108 are accounted for as under.	Of the "Fatherless Children whose Mothers are not in the Workhouse," the Mothers of 67 are accounted for as under.	Of the "Motherless Children whose Fathers are not in the Workhouse," the Fathers of 48 are accounted for as under.	Of the "Children who have neither Parent in the Workhouse," the Fathers of 88 are accounted for as under.	Of the "Legitimate Children whose Mothers only are in the Workhouse," the Fathers of 196 are accounted for as under.	Of the "Illegitimate Children whose Mothers are not in the Workhouse," the Mothers of 28 are accounted for as under.
In Army	33	..	4	6	38	..
In Gaol	28	28	22	13	54	14
In Hospital . . .	14	30	2	..	17	2
In Lunatic Asylum .	8	7	1	..	12	9
Transported . . .	30	2	19	13	75	3
Deserted by Father .	..	..	..	56	..	..
Total . .	108	67	48	88	196	28

We believe our readers will be well pleased to have before them this lucid account of the existing Irish Poor Law. It is, however, abundantly certain, that very great changes will speedily have to be made in it. With all the defects, it has few or none of the advantages of the existing English poor law; and bears evidence in every part of the source whence it sprung. The Poor Law Commissioners are here, as in England, vested with an authority which it is impossible they can advantageously exercise. The division of the island into 130 Unions, each having a workhouse in its centre, in which alone relief is to be administered to the necessitous, is a device worthy of a Prussian corporal. It might, or it might not, be good policy to limit relief to the aged, infirm, and impotent poor; but, supposing such limitation were expedient, why compel them to resort for that relief to a workhouse? Why not leave this to be determined by the authorities on the spot? If they supposed that a pauper might be more cheaply and better provided for out of a workhouse than in one, why not allow them to have their own way? And because A, B, and C have filled the workhouse, and it will hold no more, will that make a death by hunger by the way side more acceptable to X, Y, and Z? It is common in all parts of Scotland for paupers to be maintained in part, or wholly, on allowances varying from 1*s.* or 2*s.*, to 3*s.* or 5*s.* a week; but were such parties sent to workhouses, they would cost three or four times as much, while the country would be filled with complaints, often well founded, of their mismanagement, and incapacity to afford relief.

The truth is, that the present Irish poor law is inefficient for any good purpose. What Ireland requires is a system that will provide for the wants of those who are destitute, from whatever cause their destitution may proceed; and which shall, at the same time, make it for the interest of the landlords to attend to the welfare of all who live upon their estates. The latter is an indispensable condition; and to the want of such motive to influence the landlords, much of the misery of the lower classes throughout the island is to be ascribed. And to secure these double advantages, the obvious and only effectual plan is to make the landlords responsible for the support of the poor on their estates. If you do this, and leave them at liberty to administer such relief in any way they think fit, you may be assured they will not fail in no very long time to find means for stemming the tide of pauperism, and for improving the condition of the poor.

In saying that the landlords should be made responsible for the sub-

sistence of every individual upon their estates, we mean by landlords, those who have the real property of the land, whether they possess it under interminable or long leases, and who can determine the mode of its management, and not those who may only receive a quit-rent from it. Make the real owners directly responsible for the poor, and give them at the same time, and at whatever cost, easy means of ejecting, without danger to themselves or their agents, those tenants who may divide their holdings, and you will have done all that is necessary. The sagacity of the landlords will do the rest; and they will do it a thousand times better than it can ever be done by any one else. The obligation to support all the individuals settled on their lands, will make even the most inconsiderate proprietors adopt every precaution to prevent the undue increase of cottages and of cottiers, and to lessen their numbers if they be excessive; at the same time that it will prevent them from attempting to effect these objects, as they have hitherto too frequently done, by turning out poor wretches with no alternative except that of starving in ditches or on the road side, or of banding themselves in nocturnal predatory associations. Being bound to provide adequate means of support for the cottiers dismissed from their holdings, till the latter could provide for themselves, the landlords would have to proceed, even in enforcing schemes of improvement, with due deliberation. We should, under such a system, hear no more of wholesale "clearings;" and provision might be made for the cottiers, it was necessary to dismiss, as well as for the other classes of paupers, in a variety of ways, and at but little cost, till they had been absorbed by the increasing demand for labour, or had emigrated to Britain or elsewhere. Let it be proclaimed that the poor are to be supported, *coute qui coute*, by rates levied on the land, and assessed in all cases directly on the landlords; and let it further be proclaimed that the landlords need not look for pecuniary assistance to Parliament, or to any other source; and there cannot be so much as the shadow of a doubt that they will soon learn to assist and protect themselves; and to organise machinery for that purpose. All that is required on the part of the State is to protect them in the fair exercise of their rights, and to compel them to do their duty, by giving an easy appeal to paupers dissatisfied with the decisions of the authorities, (*i. e.* of the people of property), in the parish, townland, or other division to which they belong.

It is said that a measure of this sort would be equivalent to a confiscation of the land; but in truth and reality it is the only means by which it would appear possible that its confiscation can be prevented. Does any one suppose that, if the existing state of things be permitted to run its full course, rents will also continue to be paid? They are already on the verge of destruction; and can only be secured by providing other means for the protection of the peasantry against the extreme of want, than the possession of small patches of land. But, independently of these important considerations, when under the present system, any circumstance occurs to deprive any considerable number of the people of their accustomed means of subsistence, they are, as at present (December, 1846), employed on public works, under the superintendence of Government servants, by means of money advanced by the Treasury, to be repaid by the landlords. But it is needless to say

that, however well it may be administered, this cannot be otherwise than a most wasteful and improvident mode of providing relief. The public works on which the poor are employed are often unnecessary; and when they are necessary they cost two or three times as much as they would do were they constructed in the ordinary way. This plan, too, has the further and very serious disadvantage of interfering with the ordinary employments of the people, and of withdrawing them from husbandry labour, at the very time when, perhaps, it is most necessary it should be carried on. And to crown all, the landlords are to repay the Treasury the vast sums thus improvidently expended. No doubt they all but universally flatter themselves with the belief that this condition will not be enforced; and that England will not demand payment of her just claims. In this, however, they may be disappointed. And it is to be hoped that the people of England may at length become sensible, that there is no real charity or benevolence, but the reverse, in taxing themselves, and subjecting their own poor to serious privations, that the landlords of Ireland may be exempted from burdens which are borne by every landlord in England; and the imposition of which is indispensable to their own well-being, as well as that of the Irish people.

Among the various projects that are every now and then brought forward for the employment of the Irish poor, that for the culture of the waste lands is, perhaps, the greatest favourite. We believe, however, that it is in all respects one of the most objectionable that could be devised. The waste lands of Ireland consist almost wholly of mountain and bog, both of which are nearly unsusceptible of cultivation. No doubt they may, in the course of time, be gradually brought, to some extent at least, under tillage, by means of labour and manure supported upon, and derived from the contiguous grounds. But any attempt to force them suddenly into cultivation on a large scale, would be attended with an enormous expense, and would, we are bold to say, be a complete failure. There is not the least reason to think that with our present means and appliances, the culture of the great mass of the waste lands of Ireland could be continued, though the gigantic cost of their reclamation, in the first instance, were thrown out of view. What Ireland wants, is not the bringing in of waste lands, but the application of additional capital, and of an improved system of agricultural management, to the lands already under tillage. And this would be more likely to be effected by making an efficient poor law, than by any other means; for it would make the landlords adopt the most energetic measures for checking that subdivision of the land which has been the bane of Ireland, and for introducing improved modes of husbandry. With such a law, the labour of the poor, or of those subsisting on charity, would not be thrown away, as is the case at present. It would be expended on useful works, executed under the eye of those by whom those expenses must be defrayed, and there would, therefore, be comparatively little waste.

At all events, it is obvious that, unless effieient measures be speedily adopted, Ireland will become a vast pauper-warren; a pest to herself, and an intolerable burden upon, as well as a disgrace to England. The introduction of some such system of poor laws as we have indicated,

would, we are well convinced, be the most effectual means of averting this undesirable consummation. That its introduction would be attended with formidable difficulties, it were absurd to deny; but they might be overcome by a Government determined to act on a bold and comprehensive system of policy. The opposition such a project would be sure to encounter from the Irish demagogues, would be the best proof, if such were wanted, of its utility. And though the assistance of an army of 50,000 men, and the subjection of the country to martial law might for a while be necessary to introduce the system, that would be but a small deduction from its many advantages; for, in the end, good order would be established; and the foundations would be laid of an improved system of husbandry, and of improved habits on the part of the gentry and of the peasantry.

SECT. 5. *Friendly Societies and Savings' Banks.*

National and individual charity, how ample soever, is but a sorry substitute for the want of a spirit of forethought and providence on the part of the poor. Happily this spirit prevails in a very high degree in England; and a good deal has recently been done to strengthen and extend its influence.

Of the various means that have been suggested in this view, and for enabling the poor to provide a resource against sickness and old age, none seem so likely to accomplish their object as the institution of friendly societies and savings' banks. The former are founded on a principle of mutual insurance. Each member contributes a certain sum, by weekly, monthly, or annual subscriptions, while he is in health; and receives from the society a certain pension or allowance when he is incapacitated for work by accident, sickness, or old age. Nothing, it is obvious, can be more unexceptionable than the principle of these associations. Owing to the general exemption from sickness until a comparatively late period of life, if a number of individuals under 30 or 35 years of age, form themselves into a society, and subscribe each a small sum from their surplus earnings, they are able to secure a comfortable provision for themselves in the event of their becoming unfit for labour. Any single individual who should trust to his own isolated efforts would plainly be placed in an infinitely more hazardous position. Whenever an unfavourable contingency exists, the best and cheapest way of obviating its effects is by uniting with others, each subjecting himself to a small privation, so that none may be overwhelmed by any great calamity. However industrious and frugal, an individual, not a member of a friendly society, might not be able to insure his independence; inasmuch as the occurrence of any accident, or an obstinate fit of sickness, might, by throwing him out of employment, and forcing him to consume the savings he had accumulated against old age, reduce him to a state of indigence, and oblige him to become dependent on the bounty of others. Hence the paramount utility of the societies in question.

For these and other reasons, which our limits will not permit us to state, we are glad to find that friendly societies have been very widely introduced. There were enrolled from the 1st of January, 1793, to the

commencement of 1832, no fewer than 19,783 such societies; of which 16,596 were in England, 769 in Wales, 2,144 in Scotland, and 274 in Ireland. The societies existing in 1815 are said to have comprised 925,429 individuals. We have, however, some doubts as to the authenticity of this statement; but, if it may be depended on, the societies now in existence must comprise above 1,200,000 members! It should also be recollected that the progress of these societies, though great and most honourable to the labouring population of Great Britain, has been not a little counteracted by the ignorance and mismanagement of their officers, and by the real difficulty of establishing them on a secure foundation. The great error has consisted in their fixing too high a scale of allowances. At their first institution they are necessarily composed of members in the prime of life; there is, therefore, comparatively little sickness and mortality amongst them. In consequence their funds rapidly accumulate; and they are naturally tempted to give too large an allowance to those members who are occasionally incapacitated. But the circumstances under which the society is placed at an advanced period are materially different. Sickness and mortality are then comparatively prevalent. The contributions to the fund decline at the time that the outgoings increase; and it has not unfrequently happened that a society has become altogether bankrupt; and that the oldest members have been left, at the close of a long life, destitute of all support from a fund on which they had relied, and to which they had largely contributed.

But the errors in the constitution of friendly societies have been, in a great degree, amended. Various efforts, several of which have been productive of beneficial effects, have been made by private individuals and associations, and by the legislature, to obviate the chances of their failure, and to encourage their formation on sound principles. Two Reports, by committees of the House of Commons, on the laws respecting friendly societies, printed in 1825 and 1827, supply a great deal of important and useful information; and the Reports and tables published by the Highland Society are also valuable. There are, doubtless, several important points that still remain to be satisfactorily cleared up; but, in the mean time, enough has been done to enable Government to interfere with effect in assisting the formation of friendly societies on a solid foundation. In this view several statutes have, at different times, been passed; but the Act 10 Geo. IV. c. 56, repealed all previous statutes, and with the Acts 4 & 5 Will. IV. c. 40, and 7 & 8 Vict. c. 83, embodies the existing law upon the subject. All friendly societies, claiming the benefit of these Acts, are obliged to submit a statement of their rules and regulations for the approval of the officer appointed by Government for that purpose; and in the event of their being approved by him, and of the tables of payments and allowances appearing suitable to the justices, the society is confirmed by the latter, and becomes entitled to the privileges conferred by the Acts in question. These consist in being allowed to invest the funds of the society in Government securities at a minimum rate of interest (3*l.* 0*s.* 10*d.* per cent.), and in the funds of savings' banks. But it is, of course, open to any individuals, not seeking any connection with

Government, to establish friendly societies on any terms they may think proper.

Savings' Banks.—Though not so well calculated as friendly societies to enable the labouring classes to provide against sickness and old age, savings' banks are very valuable institutions, and are eminently entitled to the public patronage and support. The want of a safe place of deposit for their savings, where they would yield them a reasonable interest, and whence they could withdraw them at pleasure, has formed one of the most serious obstacles to the formation of a habit of accumulation among labourers. Public banks do not generally receive a less deposit than 10*l.*; and there are but very few amongst the labouring classes who find themselves suddenly masters of so large a sum; while, to accumulate so much by the weekly or monthly saving of a few shillings, appears at first view almost a hopeless task; and should an individual have the resolution to attempt it, the temptation to break in upon his little stock at every call of necessity might be too strong to resist. At all events, the progressive addition of interest is lost during the period of accumulation, and it even frequently happens that the chest of the servant or labourer is not safe from the depredations of the dishonest; while the very feeling of insecurity which such a circumstance inspires, must operate as a fatal check to habits of saving. A similar effect results from the instances that have often occurred, where those poor persons who had, in despite of every discouragement, accumulated a little capital, have been tempted by the offer of a high rate of interest, to lend it to persons of doubtful characters and desperate fortunes, whose bankruptcy has involved them in irremediable ruin. It is plain, therefore, that nothing could be productive of greater advantage, with a view to the formation of those new and improved habits, that must necessarily result from the diffusion of a spirit of frugality and forethought among the poor, than the institution of savings' banks, or places of safe, convenient, and advantageous deposit for their smallest savings. They are no longer tempted, from the want of facility of investment, to waste what little they can save from their expenditure in frivolous or idle gratifications. They now feel assured that their savings, and the interest accumulated upon them, will be faithfully preserved to meet their future wants: and as there are very few who are insensible of the blessings of independence, there is no reason to suppose that they will be slow to avail themselves of the means of accumulation now in their power.

All moneys paid into any savings' bank, established according to the provisions of the Act 9 Geo. IV. c. 92, and the 7 and 8 Vict. c. 83, are to be paid into the banks of England and Ireland, and vested in bank annuities or exchequer bills. The interest payable to depositors is not to exceed 3*l.* 0*s.* 10*d.* per cent. per annum. No depositor can contribute more than 30*l.*, exclusive of compound interest, to a savings' bank in any one year; and the total deposits to be received from any one individual are not to exceed 150*l.*; and whenever the deposits and compound interest accruing upon them, standing in the name of any one individual, shall amount to 200*l.*, no farther

interest shall be paid upon such deposit. The number of depositors in savings' banks, in England, Wales, and Ireland, on the 20th of November, 1834, amounted to 499,207, and the deposits to 15,369,844*l.*, giving an average deposit of 30*l.* 16*s.* to each. We subjoin an—

Account exhibiting a Summary View of the Number and State of the Savings' Banks of England, Scotland, Wales, and Ireland respectively on the 20th November, 1845.

Depositors.	England.		Scotland.	
	Number of Depositors.	Amount of Investments.	Number of Depositors.	Amount of Investments.
		£.		£.
Not exceeding 20*l.*	483,795	3,124,311	61,094	320,454
,, 50*l.*	211,546	6,539,850	15,105	456,231
,, 100*l.*	95,742	6,614,573	3,848	260,164
,, 150*l.*	33,309	4,010,132	844	101,511
,, 200*l.*	19,194	3,279,647	278	46,585
Exceeding 200*l.*	2,859	670,193	1	200
Individual depositors	846,445	24,238,748	81,170	1,185,545
Charitable Societies	10,171	539,627	635	35,891
Friendly Societies	8,773	1,151,891	398	57,493
Number of accounts	865,389	25,930,266	82,203	1,278,929

	Wales.		Ireland.	
Not exceeding 20*l.*	9,461	74,215	43,231	331,647
,, 50*l.*	5,647	172,710	35,311	1,078,549
,, 100*l.*	2,130	146,850	12,007	793,758
,, 150*l.*	662	79,338	3,109	372,809
,, 200*l.*	291	49,118	1,539	236,531
Exceeding 200*l.*	40	9,671	101	2:,916
Individual depositors	18,231	531,902	95,348	2,858,260
Charitable Societies	220	13,592	669	41,798
Friendly Societies	465	72,608	405	21,523
Number of accounts	18,916	618,092	96,422	2,921,581

UNITED KINGDOM.

Depositors.	Number of Depositors.	Amount of Investments.	Average Amount of each Deposit.
		£.	£.
Not exceeding 20*l.*	567,631	3,851,027	6
,, 50*l.*	267,709	8,247,304	31
,, 100*l.*	113,727	7,815,347	69
,, 150*l.*	37,224	4,563,790	120
,, 200*l.*	21,302	3,633,971	171
Exceeding 200*l.*	3,001	702,980	234
Individual depositors	1,041,194	28,814,455	28
Charitable Societies	11,695	630,898	54
Friendly Societies	10,041	1,303,515	131
Number of accounts	1,062,930	30,748,868	28
Friendly Societies in direct account with Commissioners for reduction of National Debt	488	1,913,056	..
Gross Total	1,063,418	32,661,924	..

The well-established system of banking that has long existed in Scotland, and the practice adopted by all the Scotch banks, of receiving deposits of the amount of 10*l.*, and sometimes less, and paying interest on them at about 1 per cent. below the market rate, accounts for the comparatively small amount of the investments in savings' banks in that country. It has, as it were, extended the advantages of the savings' bank system to all classes of the community, and has, in consequence, contributed materially to diffuse a spirit of economy

and accumulation among the middle and upper, as well as the lower classes. The aggregate deposits in the different Scotch banks may, at this moment, be estimated at from 28,000,000*l.* to 30,000,000*l.*, producing an interest of about 3*l.* per cent.: and we believe it may be safely affirmed that, but for the facilities of accumulation afforded by the Scotch banking system, the half of those deposits would never have existed! It is to be regretted that the Bank of England gives no interest on deposits either at the head office in the metropolis, or at any of her branches. Perhaps she has good reasons for declining to undertake the responsibility that the receiving of deposits at interest in the metropolis would, undoubtedly, bring along with it. But if she could, consistently with her own security, receive deposits on the plan followed by the Scotch banks, it would be productive of the greatest advantages; and would do more to promote accumulation than could be done by any other measure it seems practicable to suggest.

Savings' Bank Annuities.—Within these few years Government has adopted the principle of selling immediate or deferred annuities, of not less than 4*l.*, or more than 30*l.* a year, to the labouring classes not under 15 years of age. Such annuities are sold under the provisions of the Act 3 & 4 Will. IV. c. 14, and 8 Vict. c. 83. The purchaser may either pay down the whole sum at once, or he may pay it by weekly, monthly, or yearly instalments. And, to encourage parties to buy, it is provided, that if an individual become unable to continue his payments, or die before the deferred annuity commences, all the sums he has paid are to be returned, without interest, to his executors or family. All negotiations for annuities of this description are to be conducted through savings' banks, and hence their name.

Much, though, as it appears to us, little deserved, eulogy has been lavished upon this statute. No doubt it was dictated by the best intentions on the part of Government, and it may, occasionally, be advantageous to the parties. Still, however, we cannot help considering the principles on which it is bottomed as radically unsound. If Government will interfere in such matters, its object should be to diffuse a spirit of accumulation and forethought into all classes, and, in as far as possible, to make people live for others, as well as for themselves. But the Savings' Banks Annuity Act proceeds on entirely opposite principles. So far as it extends, its influence is subversive of accumulation, and goes to encourage the selfish and unsocial propensities, by tempting individuals to consume their whole property during their lifetime, without thinking or caring anything about those who may come after them. One of the grand objections to the method of borrowing formerly practised in France was, that the debt was principally funded in *rentes viagères*, or life annuities, and consequently that it tended to keep up and diffuse spendthrift and careless habits. The influence of the system now alluded to, though less in degree, is precisely of the same kind. Had Government given facilities to the middle and lower classes for insuring sums for their wives and children, in the event of their death, it might have been highly advantageous. But the system they have set on foot does not encourage providence, but extravagance; and, if extensively acted upon, would be so very hostile

to the public interests that it would have to be put down by legislative interference.

Private Charities.—Exclusive of the immense sums raised by compulsory assessment, there is no country in which such large sums are voluntarily subscribed for the support and education of the poor as in England. It appears from the summary of the returns annexed to the Reports of the Charity Commissioners, that the rent of the land and other fixed property, and the interest of the money left for charitable purposes in England and Wales, amounts to 1,209,396*l.* a year. It is believed by those best qualified to judge correctly of such matters, that with proper management this return might be increased to, at least, 2,000,000*l.* And, supposing such to be the case, still there can be no reasonable doubt that even that large sum would be far below the sums annually expended in voluntary donations to charitable establishments, and in gifts to individuals. In all parts of the country, hospitals, dispensaries, schools, and all descriptions of miscellaneous charities, are supported by such means. A mere catalogue of the names of such charities in London and other large towns would occupy a considerable space. A good deal of jobbing and abuse is believed to have insinuated itself into not a few of these establishments: but, speaking generally, they are well managed, and have been productive of much good. No estimate can be formed of the sums expended in voluntary donations to individuals, but in the aggregate, they cannot fail to amount to an immense sum.

CHAPTER IX.—Origin and Progress of the English Language.

A GREAT portion of Europe was at a remote period inhabited by wandering tribes of Celts, whom we may suppose to have been as uncivilised as the savage tribes who now inhabit the interior of Africa. Their early progress in Britain and Ireland may in some measure be ascertained from the records of history: but the rudest nations, although they furnish materials for history, do not themselves produce historians; and, when all other memorials have utterly decayed, we are sometimes enabled, by the names which they have permanently affixed to some of the great objects of nature, to trace their progress with as much certainty as the hunter of the forest can trace the footsteps of his prey. When we find rivers, mountains, and promontories described by Celtic names, in a country or district where history has never mentioned the settlement of a Celtic horde, we are at no loss to account for such names: we are satisfied with the application of a single hypothesis, and instantly arrive at the conclusion that Celtic names must have been imposed by Celtic inhabitants.

When the Romans invaded the south of Britain, they found the country possessed by people of this generic origin. The invasion took place about fifty-five years before the Christian era; and the invaders retained their ascendancy till the commencement of the fifth century. During this interval the Romans imparted to the rude na-

tives some tincture of their own intellectual refinement, but must have left the British language as they found it: the foreign settlers were not sufficiently numerous to produce any change in the speech of the original inhabitants. When the Roman empire was tottering to its fall, the Britons recovered their independence. They divided themselves into many petty states, and exercised many petty animosities, which impaired the national strength, and rendered them an easy prey to foreign invaders. The pirates of Saxony had long been accustomed to make occasional depredations on their coasts. The Picts and Scots, that is, the Goths and Celts of Scotland, infested them from the north; and at length the sense of common danger produced some degree of union in their councils and exertions. In this condition of their affairs, the Saxons obtained a permanent footing in the country. In the year 449, as the Saxon Chronicle informs us, "Hengist and Horsa, invited to his aid by Vortigern, King of the Britons, arrived in Britain in the place called Ipwinesfleet: they first came to the assistance of the Britons, but afterwards fought against them. The king directed them to fight against the Picts, and they did so, and were victorious whereever they came. They then sent to the Angles, and desired them to send more assistance, telling them of the worthlessness of the Britons, and the fruitfulness of the land. They then sent to them more assistance; then came men from three provinces of Germany, from the Old Saxons, from the Angles, from the Jutes." *

The Saxons, like other Gothic tribes, derive their origin from a mighty horde which wandered from the east, and gradually overran the best portions of Europe. So early as the time of Ptolemy the geographer, this particular tribe had proceeded as far to the westward as the banks of the Elbe, and their primitive seat was between this river and the Eyder. Although at first they were not very formidable for their numbers, they gradually obtained a powerful ascendancy in Germany. Towards the middle of the third century, they entered into a league with the Franks for the purpose of opposing the Roman arms; and they afterwards enlarged their connexions and increased their influence, till it predominated in a territory of great extent, reaching from the Eyder to the Rhine. This wide tract of country was not entirely peopled by Saxons; it included various nations, united by the ties of a kindred origin, and actuated by a sense of common interest or danger; but such was the ascendancy of the Saxons, that they communicated their name to the entire confederacy, which, among other nations, comprehended the Jutes, who inhabited the south of Jutland, and the Angles, who inhabited the adjacent district of Anglen. Hengest and Horsa, the leaders whom we have already mentioned, were not Saxons, but Jutes. The subsequent immigrants were for the most part Angles, and their descendants were long distinguished by the appellation of Anglo-Saxons. The first part of the name denotes the predominant tribe; the second denotes the original relation of that tribe to the Saxon confederacy. The new country which they acquired was denominated Engla-land, or the land of the Angles. These Ger-

* *Saxon Chronicle*, p. 14. Ingram's edit. Lond. 1823, 4to. See likewise *Mr. Turner's History of the Anglo-Saxons*, and *Dr. Bosworth's Elements of Anglo-Saxon Grammar*, p. 279, Lond. 1823, 8vo.

man invaders established themselves in the most fertile districts, and gradually displaced the Celtic inhabitants, till at length they were chiefly confined to the fastnesses of Wales, where the prevalence of the ancient language still indicates the continuance of their race. Eight new states were formed by the Anglo-Saxons, who maintained their independence till the year 1016, when they were subjected to the yoke of a Danish conqueror. Canute and his two sons, Harold and Hardicanute, reigned in England for the space of 26 years. A Danish court, and a Danish army, with other settlers, must have had some influence on the common speech, especially as the language of the conquerors was not very dissimilar to that of the conquered. But the laws and other public documents continued to be written in the Saxon tongue, and this new dynasty soon finished its course. The Saxon line of kings, which was restored in 1042, terminated in 1066, when Harold II. was slain at the battle of Hastings, and William Duke of Normandy ascended the throne of England. The Saxon dominion had thus continued for the best part of three centuries; and as the great body of the people were still of this race, it is obvious that their national language must have survived their political power. A writ in the Anglo-Saxon tongue was issued by Henry the Third, who began his reign in the year 1216.*

In the language spoken by this ancient people, a great variety of literary reliques has been preserved. "The Anglo-Saxon literature," says Professor Rask, "possesses, in many respects, even for its own sake, no small degree of interest. The numerous ancient laws throw considerable light upon the laws of the old Germans and Scandinavians, as well as upon their customs and civil institutions.† The old chronicles and genealogies are important sources for the ancient history of the Low German and the Scandinavian nations. The various documents illustrate much in English history. Even the theological remains, showing the constitution and doctrine of the ancient church, are not devoid of value for ecclesiastical history, especially to the modern English and Scottish churches. The translation of several parts of the Scriptures may likewise be advantageously employed in biblical researches. But of all, the poetical pieces are the most interesting, especially the great Anglo-Saxon poem, in forty-three cantos, published at Copenhagen, in 1815, by the Royal Archivarius G. J. Thorkelin,‡ which, from its commencement, he has aptly entitled

* Dr. Wallis has made the following remark on the conqueror's attempt to introduce the Norman language: "Non autem quod aggressus erat, est assecutus; quippe quod Normannorum qui huc advenerant, si ad Anglos quibus immiscebantur comparentur, exiguus erat numerus, qui ideo suam citius amiserunt linguam quam Anglicanam immutare potuerint." (*Grammatica Linguæ Anglicanæ*, p. xx. edit. Lond. 1765, 8vo.)

† See *Dr. Phillips's Versuch einer Darstellung der Geschichte des Angelsächsischen Rechts.* Göttingen, 1825, 8vo.

‡ *De Danorum Rebus gestis Secul.* III. *et* IV. Poema Danicum dialecto Anglo-Saxonica. Havniæ, 1815, 4to. A more recent edition may be found in an elegant little volume, published under the following title: *The Anglo-Saxon Poems of Beowulf, the Traveller's Song, and the Battle of Finnes-Burh;* edited, together with a glossary of the more difficult words, and an historical preface, by John M. Kemble, Esq., M.A. of Trinity College, Cambridge. Lond. 1833, 8vo.

Scyldingis. This is perhaps the only Angle-Saxon piece possessing value on account both of its matter and style, particularly for the nations of the north; the principal hero being Swedish or Gothic, though the action lies in Denmark." * This ancient poem, more generally known by the name of *Beowulf*, has been translated into Danish verse by Dr. Grundtvig,† and ably illustrated by the late Mr. Conybeare. ‡

The language of the conquerors became the language of the king's court, and all the courts of law. The pleadings of counsel, and the decisions of judges, were couched in a dialect which is commonly described as Norman French, but which in the mouths of English lawyers became utterly barbarous; and more curious specimens of composition are scarcely to be found, than those which occur in the reports of cases written in a jargon half French half English. Lawyers have in all ages been conspicuous for their stiff adherence, with or without reason, to those forms and maxims in which they themselves have been duly trained. Long after French had ceased to be the language of legal proceedings, they adhered to the practice of reporting cases in the motley dialect used by their predecessors; for, as Blackstone remarks, "the practisers being used to the Norman language, and therefore imagining that they could express their thoughts more aptly and more concisely in that than in any other, still continued to take their notes in law Franch; and, of course, when those notes came to be published, under the denomination of reports, they were printed in that barbarous dialect; which joined to the additional terrors of a Gothic black letter, has occasioned many a student to throw away his Plowden and Littleton, without venturing to attack a page of them." § By the 36 Edw. III., c. 15, it was enacted, that for the future all pleas should be pleaded, shown, defended, answered, debated, and judged in the English tongue, but should be entered and enrolled in Latin. The statutes of the realm long continued to be promulgated in French; and it was only from the accession of Richard III. that Englishmen were governed by laws written in their native tongue. ‖

The Norman conquest proved fatal to the entire race of Anglo-Saxon nobility, many of whom lost their lives, and almost all of them their property. Not a few of the number sought refuge in different monasteries. Some of them became abbots, and others closed their career as monks. The lands of the Saxon earls were transferred to the Norman barons, who found it necessary to consult their personal safety by inhabiting fortified towns and castles. They must have had but little intercourse with their vassals, whom they probably did not re-

* *Rask's Grammar of the Anglo-Saxon Tongue*, translated from the Danish by B. Thorpe, p. vii. Copenhagen, 1830, 8vo.

† *Bjowulfs Drape: et Gothisk Helte-Digt fra forrige Aar-Tusinde, af Angel-Saxisk paa Danske Riim*, ved Nik. Fred. Sev. Grundtvig, Præst. Kiöbenhavn, 1820, 8vo.

‡ *Conybeare's Illustrations of Anglo-Saxon Poetry*, p. 30, Lond. 1826, 8vo.

§ *Blackstone's Commentaries on the Laws of England*, vol. iii. p. 318.

‖ "The reign of Richard III." says Barrington, "is a remarkable epoch in the legislative annals of this country; not only from the statutes having continued from this time to be in the English language, but likewise from their having been the first which were ever printed." (*Observations on the more ancient Statutes*, p. 389.)

spect, and whom they had much reason to fear. They retained their native tongue, and seldom acquired any other. For a long period of time, the peasantry continued unmixed with foreign settlers; they continued to cultivate the same soil; and, when the written language of the kingdom had received many foreign accessions, the rustic dialect preserved its primitive elements with very few material changes. Much of the patois of different countries consists, not in adulterations of the modern, but in remnants of the ancient language. Many Anglo-Saxon words and idioms, unintelligible to persons of a refined education, are still current among the rural population of some particular districts of England.*

The English monarchs of the Norman race were liberal patrons of such literature as they themselves understood. French poetry appears to have been relished at the court of England; and, according to a very competent judge, M. de la Rue, it was from England and Normandy that the French received the first works which deserve to be cited in their language. The works of many Anglo-Norman poets have been preserved, and they certainly form a curious subject of literary research. In this department, a learned lady, Marie de France, makes a prominent figure. Her poems have recently been edited by M. de Roquefort;† and one of the historical poems of Wace still more recently by M. Pluquet.‡ A history of the Anglo-Norman poets and poetry has just been published by M. de la Rue, who long ago exhibited sufficient evidence of his being well qualified for such an undertaking.§

Of the language spoken by the great body of the people about a century after the conquest, the reader may in some degree, be enabled to judge, from the following specimen of Lyamond's translation of Wace's *Brut d'Angleterre*. The translator describes himself as a priest of Ernlye upon Severn, and he is supposed to have completed his task about the year 1180:—

Tha the masse wes isungen,
Of chircken heo thrungen.
The king mid his folke
To his mete verde,
And mucle his dugethe:
Drem wes on hirede.
Tha quene, an other halve,
Hire hereberwe isohte:
Heo hafde wif-monne
Wunder ane moni en‖.

* "Provincial words, accompanied by an explanation of the sense in which each of them still continues to be used in the districts to which they belong, would be of essential service in explaining many obscure terms in our early poets, the true meaning of which, although it may have puzzled and bewildered the most acute and learned of our commentators, would perhaps be perfectly intelligible to a Devonshire, Norfolk, or Cheshire clown." *Wilbraham's Attempt at a Glossary of some Words used in Cheshire*, p. 4. Lond. 1826, 8vo.

† *Poésies de Marie de France.* Paris, 1820, 2 tom. 8vo.

‡ *Le Roman de Rou et des Ducs de Normandie*, par Robert Wace. Paris, 1827, 2 tom. 8vo. M. Pluquet had previously published a *Notice sur la Vie et les Ecrits de Robert Wace, Poète Normand du XIIme Siècle.* Rouen, 1824, 8vo.

§ *Essais Historiques sur les Bardes, Jongleurs, et les Trouvères Normands et Anglo-Normands*, par M. l'Abbé de la Rue. Caen, 1834, 3 tom. 8vo.

‖ *Ellis's Specimens of the Early English Poets*, vol. i. p. 61.

" When the mass was sung, out of the church they thronged. The king amid his folk to his meat fared, and many of his nobility: joy was in the household. The queen, on the other side, sought her harbour, or lodging: she had wonderfully many women with her." Here, and in a much more ample specimen of the same work, we perceive no mixture of French words. The idiom is essentially Anglo-Saxon, but with some indications of its being already in a state of transition: the vestiges of the language, in its more modern form of English, may be distinctly traced. Of the language in a state more considerably advanced, we find a specimen in a facetious poem published by Dr. Hickes:—

Far in sea, by West Spain,
Is a land ihote Cokaygne,
There n' is land under heaven-rich
Of wel of goodness it y-like.
Though Paradise be merry and bright,
Cokaygne is of fairer sight.
What is there in Paradise
But grass, and flower, and green rise?
Though there be joy and great dute,
There n' is meat but fruit;
There n' is hall, bure no bench,
But water manis thirst to quench.*

In this poem, which apparently belongs to the thirteenth century, we perceive a further deviation from the Anglo-Saxon idiom. In the preceding extract, the obsolete spelling is not retained, and the language is thus rendered more intelligible; but, as it is likewise necessary to exhibit the progress of orthography, we have not in other instances adhered to the same practice. The subsequent quotation is from a metrical history of England, written by Robert, a monk of Gloucester, who appears to have lived after the year 1278. This rhyming chronicle, as Mr. Warton has remarked, is totally destitute of art or imagination. The author thus describes the island of Ireland, nor does he fail to mention its exemption from venomous reptiles:—

Yrlond ys aler yle best with oute Engelonde.
The see goth al abouten hym eke as ich vnderstonde.
More he ys than Engolond, and in the south half he ys
Bradder and more of ynow than in the north ende y wis.
Azeyn the lond of Spayne he stood in the north syde ryzt.
Selde snowe ther inne lith, and nameliche thre nyzt,
So euene hot at that lond ys, that men durre selde
Here orf in howse awynter brynge out of the felde.
Lese lasteth ther al the wynter: bute hyt tho more wonder be,
Selde we schal in the lond eny foule wormes se:
For nedres ny other wormes ne mow ther be nozt;
And zef he beth thider bi cas from other londs y brozt,
Heo dyeth thorz smel of the lond, other thorz towching y wys:
Eche gras that ther inne wexeth a zeyn venym yt ys.

* *Hickesii Linguarum Vett. Septentrionalium Thesaurus*, tom. i. p. 231. *Ellis's Specimens*, vol. i. p. 83.—" This poem," says Mr. Boucher, " begins with the description of the land of voluptuous indolence; which it is hardly possible to read without being reminded of *Thomson's Castle of Indolence*. Admitting, however, that the author of the *Seasons* may have seen this ancient piece in Hickes, the manner in which he has imitated it does him more credit, as a man of judgment and good taste, than discredit on the score of a want of originality." (*Introduction to a Glossary of Obsolete and Provincial Words*, p. xl.)

For men that ben venymed, thorȝ grases of Yrlond
Y dronke he beth y clansed sone, thoru Godes sonde.
Hony and mylk ther ys muche, mony folk and bolde.
This ys the stat of Yrlond, as iche habbe y told.*

Another chronicler, who however belongs to a period somewhat more recent, was Robert Manning, more commonly called Robert of Brunne. He has himself stated that he had resided 15 years at Brunne, or Bourne, in the priory of black canons, where in the year 1303 he began his translation of Grosteste's *Manuel des Péchés*. This version still continues in manuscript; but one portion of his historical work, his translation from Langtoft, has been edited by the indefatigable Hearne, who rendered a similar service to Robert of Gloucester. The inedited portion consists of a translation from Wace's *Brut*. Peter Langtoft was an Augustine canon of Bridlington, in Yorkshire, and is supposed to have died in the reign of Edward II. The subsequent passage relates to Sir William Wallace:—

Whan Sir Jon of Warenne the soth vnderstode,
That the Waleis gan brenne, an oste he gadred gode,
And went to Striuelyne agayn Waleis William,
Bot the erle with mykelle pyne disconfite away nam;
And that was his folie, so long in his bed gan ligge,
Untille the Waleis partie had vmbilaid the brigge:-
With gauelokes and dartes suik ore was non sene,
Myght no man tham departe, ne ride ne go bituene.
Thore first tham tauht how thei did Fawe kirke:
Alle gate the brigge he rauht, of nouht our men were irke,
Whan the erle herd say, the brigge how William toke,
He douted to die that day, that bataile he forsoke.
The Inglis were alle slayn, the Scottis bare tham wele
The Waleis had the wayn, als maister of that eschele.
Al that ilk stoun was slayne on our side
God men of honour, that wald to the bataile bide.†

A more curious specimen of composition is to be found in the *Vision of Piers Plowman*, which appears to have been written about the year 1362, and which is commonly ascribed to Robert Langland, a secular priest. The work, which comprehends a series of visions, is replete with satire on the different orders of men, especially on the clergy, both regular and secular; but it is likewise diversified by a succession of incidents, and furnishes abundant evidence of the author's talents for description. His mode of versification is not unworthy of particular notice. It was employed by the Icelandic as well as by the Anglo-Saxon poets, and was constructed with some degree of nicety. Their lines are generally short, and they do not rigorously confine themselves to a definite number of syllables. Here alliteration supplies the place of rhyme: the corresponding sounds are at the commencement, not at the termination of words. In two contiguous and connected lines, there must be three words beginning with the same letter; and, according to the strictest rule, two of those words ought to occur in the first, and the other ought to begin the second line. It was on such a model that this poet constructed his verses, though he has not observed all the niceties of his predecessors. In the editions,

* *Robert of Gloucester's Chronicle*, vol. i. p. 43.

† *Peter Langtoft's Chronicle*, as illustrated and improved by Robert of Brunne, vol. ii. p. 297.

and indeed in the manuscripts of his poem, what is exhibited as a single verse is in reality a distich, and admits of a division without any degree of violence.* Our extract from this remarkable work must necessarily be very brief:—

And to the church gan ich go, God to honourie,
By for the crois on my knees knocked ich my brest,
Sykinge for my sennes, segginge my Pater noster,
Wepyng and wailinge tyl ich was a slepe:
Thenne mete me moche more than ich by for tolde
Of the mater that ich mete fyrst on Malverne hulles.
Ich sawe the feld ful of folk fram ende to the other,
And Reson revested ryght as a pope,
And Conscience his cocer by fore the kynge stande.
Reson reverentliche by for al the reame
Prechede and provide that thuse pestilences
Was for pure synne to punyshe the puple;
And the south west wynd on Saturday at eve
Was pertliche for prude, and for no poynt elles.
Piries and plomtrees were poffed to the erthe,
In ensample to syggen ous we sholde do the betere:
Beches and brode okes weren blowe to the grounde,
And turned upward here tayl, in tokenynge of drede
That dedlych synne er domys day shal for do us alle.†

After these specimens of verse, we shall exhibit a specimen of prose, selected from the seventh chapter of the Acts of the Apostles, as translated by John Wycliffe. The translator, who was born about the year 1324, and died in the year 1384, may be regarded as the father of English prose. He was the author of various works in Latin as well as English; but the most important of his literary labours was a complete version of the Scriptures. He was the great precursor of Luther, who appeared after an interval of 150 years; and it may perhaps be safely affirmed, that to him the cause of reformation was more deeply indebted than to Luther himself:—

"This Moises ledde hem out, and dide woundris and signes in the lond of Egipte, and in the Reed See, and in desert fourti gheeris. This is Moises that seide to the sones of Israel, God schal reise to ghou a prophete of ghoure britheren; as me ghe schulen heere him. This it is that was in the chirche in wildirnesse with the aungel that spak to him in the mount Syna and with our fadris, which took wordis of lyf to ghyue to us: to whom oure fadris wolden not obeie, but puttiden him awei, and weren turned awei in hertis into Egipte, seiynge to Aaron, Make thou to us goddis that schulen go bifore us; for to this Moises that led us out of the lond of Egipte, we wite not what is don to hym. And thei maden a calf in tho daies, and offriden a sacrifice to the mawmet, ‡ and thei weren glad in the

* *Rask's Grammar of the Anglo-Saxon Tongue*, p. 135. *Conybeare's Illustrations of Anglo Saxon Poetry*, p. 65. See the new edition of the *Encyclopædia Britannica*, vol. viii. p. 270.

† *Vision of Piers Plouhman*, p. 81, Whitaker's edition. Lond. 1813, 4to. Dr. Whitaker has remarked, that "Spenser, in his great work, was deeply indebted to Langland, especially for his personification of the vices."

‡ The ignorance and zeal of our ancestors converted Mahomet into a demon. *Maumetry* is frequently used to denote idolatry, and *maumet* to denote an idol. The Mahometans were regarded as idolators; and it must have been supposed that they worshipped the founder of their faith. "Certes be it wife, be it chylde, or

workis of her hondis; and God turnyde and bitook hem to serue to the kynghthood of heuene; as it is writen in the book of prophetis, Whether ghe hous of Israel offriden to me slayn sacrifices, either sacrifices of oostis fourti gheer in desert? And ghe han take the tabernacle of Moloch, and the sterre of ghoure god Renfam, figuris that ghe han maad to worschipe hem: and I schal translate ghou into Babiloyne. The tabernacle of witnessyng was with oure fadris in desert, as God disposide to hem, and spak to Moises, that he schulde make it aftir the fourme that he saigh: which also oure fadris tooken with Ihesu, and broughten into the possessioun of hethene men, which God puttide awei fro the face of oure fadris til into the daies of Dauid, that foond grace anentis God, and axide that he schulde fynde a tabernacle to God of Iacob. But Salamon bildide the hous to him. But the high God dwellith not in thingis maad bi hond, as he seith by the prophete, Heuene is a seete to me, and the erthe is the stool of my feet; what hous schulen ghe bilde to me? seith the Lord; either what place is of my restyng? whethir myn hond made not all these thingis?" *

Contemporary with Wycliffe was Geoffrey Chaucer, who is commonly regarded as the father of English poetry, and who closed his life in the year 1400. Dr. Johnson has remarked, that "he may, perhaps, with justice, be styled the first of our versifiers who wrote poetically." † He was a man of original genius, improved by a familiar acquaintance with writers in several languages. For the native poets who preceded him, he appears to have entertained but little respect: he sought for better models among the Latin, Italian, and French writers, and in all these languages he found works which he either translated or imitated. He possessed a lively fancy, and was a shrewd observer of life and manners. He improved the language, and refined the taste of his contemporaries. In several of his compositions, he adopted a species of verse, which seems peculiarly suitable to English poetry,‡ and he taught them to write, if not with new harmony, at least with new terseness. The work by which he is best known are his *Canterbury Tales*; and in these he not only exhibits many characteristic delineations of manners, but likewise evinces a rich vein of native humour. They commence with the following verses, which we have selected on account of the elaborate analysis to which they have been subjected by Mr. Tyrwhitt: §—

anye worldly thynge, that he loueth before God, it is his *maumet*, and he is an ydolaster." (*Chaucer's Works*, f. cxiiii. b. edit. Lond. 1542, fol.)

Lat Virgil hald his *maumentis* till him self,
I wourschip nowthir ydole, stok, nor elf.

DOUGLAS'S Virgil, p. 311.

* *New Testament*, translated by Wiclif, p. 196. Baber's edit. Lond. 1810, 4to.

† *Johnson's History of the English Language*, prefixed to his Dictionary.

‡ "By far the most considerable part of Chaucer's works is written in that kind of metre which we now call the heroic, either in distichs or in stanzas; and as I have not been able to discover any instance of this metre being used by any English poet before him, I am much inclined to suppose that he was the first introducer of it into our language." (*Tyrwhitt's Essay on the Language and Versification of Chaucer*, p. 83.)

§ *Canterbury Tales of Chaucer*, vol. iv. p. 106. Lond. 1775, 5 vols. 8vo.

Whanne that April with his shoures sote
The droughte of March hath perced to the rote,
And bathed every veine in swiche licour,
Of whiche vertue engendred is the flour;
Whan Zephirus eke with his sote brethe
Enspired hath in every holt and hethe
The tendre croppes, and the yonge sonne
Hath in the Ram his halfe cours yronne,
And smale foules maken melodie,
That slepen alle night with open eye,
So priketh hem nature in hir corages;
Than longen folk to gon on pilgrimages,
And palmeres for to seken strange strondes,
To serve halwes couthe in sondry londes;
And specially, from every shires ende
Of Englelond, to Canterbury they wende,
The holy blisful martyr for to seke,
That hem hath holpen whan that they were seke.

In the English language, as it thus appeared in the fourteenth century, the Anglo-Saxon vocabulary was still predominant, but the words had been greatly curtailed in their inflexions. This plan of simplifying the structure of speech is to be traced in other instances, where a rude or a strange race is mingled with a people who have cultivated a more complex language, bearing little or no resemblance to their own. The most essential part of the vocabulary may be acquired without much difficulty; but it is not so easy to become acquainted with the inflexions of nouns and verbs, or with some other niceties which belong to language in its more complicated form. The modern languages of Italy, France, Spain, and Portugal, were all formed of similar materials: the words of each are to a great extent derived from the ancient Latin, but are blended with words of a different origin, words imported by the barbarous tribes who dismembered the Roman empire; and in all these languages, the most material rules of grammar seem to be in a great measure the same. The Latin terminations were altered or retrenched; the vowels were very frequently interchanged; the definite article was formed from the first or the second syllable of the pronoun *ille;* and the introduction of auxiliary verbs completed this transformation of one language into another.

Many French words had now been incorporated with the English language; but the composition of this period began to be marked by an affectation of words derived immediately from the Latin. If Chaucer did not set the example, he at least followed it; and when he aims at a more ornamental style, his use of such phraseology is sufficiently copious. In this respect he was, however exceeded by some of his successors, particularly Hoccleve, Lydgate, and Hawes, who inherited no portion of his strength and originality. Being deficient in taste as well as genius, they devised a verbose and languid style, interspersed with many sonorous and polysyllabic terms, with terms "aureate and mellifluate," which did not assimilate with their native tongue. The same false taste was at length communicated to the Scottish poets. Dr. Nott has remarked, that Barbour had given his countrymen a fine example of the simple energetic style, which resembled Chaucer's best manner, and wanted little to make it the

genuine language of poetry; and that other poets of the same nation, particularly James I. and Henryson, adhered to this model of a simple diction, and affected no other ornament than what the proper use of their language supplied. But, ultimately the false taste which had infected the English poets, was communicated to their brethren of the north. "Thus Dunbar," he adds, "a poet of a rich and lively fancy, and possessing great natural command of language, was induced to use the following pedantic language in the opening to his beautiful moral poem, called the *Golden Terge.*"* And of this poem he subjoins the first stanza.

Gower and Lydgate, whose names are very frequently mentioned with that of Chaucer, are well known to the readers of our early poetry. Thomas Hoccleve, whom his editor supposes to have been born about the year 1370, makes a more inconsiderable figure in the literary annals of that age, but he seems nevertheless to claim a passing notice. He was deficient in the essential qualifications of a poet; and, in the opinion of Mr. Warton, "his chief merit seems to be, that his writings contributed to propagate and establish those improvements in our language which were now beginning to take place." † One of his poems opens with these stanzas:—

O precious tresor incomparable,
O grounde and roote of prosperitee,
O excellent richesse commendable
Aboven alle that in eerthe be,
Who may susteene thyn adversitee?
What wight may him avaunte of worldly welthe,
But if he fully stand in grace of thee,
Eerthely god, piler of lyf, thow helthe?

Whil thy power and excellent vigour,
As was plesant un to thy worthynesse,
Regned in me, and was my governour,
Than was I wel, tho felte I no duresse,
Tho farsid was I with hertes gladnesse;
And now my body empty is, and bare
Of joie, and ful of seekly hevynesse,
Al poore of ese, and ryche of evel fare.‡

The greater part of the fifteenth century was highly unfavourable to the progress of literature in England. The repeated contests for the crown, and the civil wars which they occasioned, were attended with a great waste of human blood, and with that uncertainty of possession, and those reverses of fortune, which leave the mind but little relish for such pursuits as are chiefly calculated to gratify the taste. Of the prose composition of that period we select a specimen from Sir John Fortescue's treatise on monarchy. The author was Chief Justice of the King's Bench in the reign of Henry VI., and, during the exile of that unfortunate monarch, appears to have acted as his Chancellor.

"For that cause, and for grete necessitie which the French kyng had of goods, for the defence of that lond, he took upon hym to set

* *Nott's Dissertation on the State of English Poetry before the Sixteenth Century*, p. cxc.

† *Warton's Hist. of English Poetry*, vol. ii. p. 348. Price's edit.

‡ *Poems by Thomas Hoccleve*, p. 27. Lond. 1796, 4to.

talys and other impositions upon the commons, without the assent of the three estats; but yet he would not set any such chargs, nor hath set upon the nobles, for feare of rebellion. And because the commons, though they have grutchid, have not rebellid, or be hardy to rebell, the French kyngs have yearly sythen sett such chargs upon them, and so augmented the same chargis, as the same commons be so impoverishid and distroyyd, that they may unneth lyve. They drynke water, they eate apples, with bred right brown made of rye. Thay eate no flesche, but if it be selden a litill larde, or of the entrails or heds of bests sclayne for the nobles or merchaunts of the lond. They weryn no wollyn, but if it be a pore cote under their uttermost garment, made of grete canvas, and cal it a frok. Their hosyn be of like canvas, and passen not their knee; wherefor they be gartrid and their thyghs bare. Their wifs and children gone bare fote; they may in non otherwyse lyve. For sum of them, that was wonte to pay to his lord for his tenement, which he hyrith by the yere, a scute, payyth now to the kyng, over that scute, fyve skuts; wher thrugh they be artyd by necessite so to watch, labour, and grub in the ground for their sustenaunce, that their nature is much wastid, and the kynd of them brought to nowght."*

Sir Thomas More, another Chancellor, who was beheaded in the year 1535, was distinguished alike by his talents and his learning. He has left many works in English and Latin, in prose and verse; and, if his mind had been less encumbered with bigotry, he might have left to posterity the character of a great man. The following passage occurs in a work in which he laboured to prop the tottering cause of popery:—

"But to the entente ye shall yet the lesse doubte what good fruyte was intended by this translacyon, and easyly iudge your selfe whyther it was well worthy to be burned or not, ye shall vnderstande that there hath ben synce that tyme another boke made in Englyshe, and imprynted, as it sayth, in Almayne, a folysshe raylynge boke agaynst the clergy, and moche parte made in ryme; but the effecte therof was all agynst the masse and the holy sacrament. In this boke, the maker rayleth vpon all them that caused Tyndals translacyon of the Newe Testament to be burned, sayeing that they burned it bycause that it dystroyed the masse. Wherby ye may se that he rekened that translacyon very good for theyr purpose towarde the destruccyon of the masse. By Saynt Mary masse, quod your frende, that boke is a shrewd glose for the other. For it shewed a cause for whiche it was well worthy to be burned, and the maker with it, if it were made to destroy the masse. But who made that seconde boke? Forsothe, quod I, it appereth not in the boke. For the boke is put forth namelesse, and was in the begynnyng rekened to be made by Tyndall. And whyther it so were or not, we be not yet very sure. How be it syth that tyme Tyndall hathe put oute in his owne name another boke entytled Mammona, whiche boke is very Mammona Iniquitatis, a very treasoury and well spryng of wyckednes. And yet hath he sythens put forth a worse also, named the Obedyence of a Crysten Man, a

* *Fortescue's Difference between an absolute and limited Monarchy*, p. 17. Lond. 1714, 8vo.

boke able to make a Crysten man that wolde byleue it leue of all good Crysten vertues, and lese the meryte of his Crystendom." *

The life of this eminent person has been written by his son-in-law, William Roper, in a manner very affectionate and interesting, and in a style of touching simplicity. Of his mode of writing the subsequent extract supplies a specimen :—

" When Sir Thomas More came from Westminster to the Towerwarde againe, his daughter, my wife, desirous to see her father, whome she thought she should never see in this world after, and alsoe to have his finall blessinge, gave attendance about the Tower wharffe, wheare she knewe he should passe before he could enter into the Tower. Theare tarryeinge his comminge, as soone as she sawe him, after his blessinge uppon her knees reverently received, she hastinge towards him, without consideracion or care of her selfe, pressinge in amongst the midst of the thronge and companie of the garde that with holbards and bills went round about him, hastelie ranne to him, and theare openlie in sight of them imbraced him, and tooke him about the neck, and kissed him. Who well likinge her most naturall and deere daughterlie affeccion towards him, gave her his fatherlie blessinge and manie godlie words of comfort besides. From whome after she was departed, she not satisfied with the former sight of him, and like one that had forgotten herselfe, beinge all ravished with the entire love of her father, havinge respect neither to her selfe, nor to the presse of people and multitude that weare theare about him, suddainlie turned backe againe, ranne to him as before, took him about the necke, and divers times kissed him lovinglie, and at last with a full and heavie heart was faine to depart from him : the beholdinge whearof was to manie that weare present soe lamentable, that it made them for verie sorrow thearof to weepe and mourne."†

Thomas Cranmer, Archbishop of Canterbury, who was born in 1489, and was committed to the flames in 1556, had a vigorous understanding, improved by extensive learning. His travels and studies had rendered him as familiar with the French, Italian, and German, as with the Latin, Greek, and Hebrew languages. In theology and the canon law he appears to have been deeply skilled; and, possessing an acute intellect and a clear head, he was capable of applying his various stores of knowledge to the most useful and practical purposes. His works, as the subsequent extract may partly evince, afford a very favourable specimen of the English style of that period :—

" Nowe the nature of man beyng euer prone to idolatry from the begynnyng of the worlde, and the papistes beyng ready by al meanes and policy to defend and extoll the masse for their estimation and profite, and the people beyng supersticiously enamored and doted vpon the masse (bycause they take it for a present remedy against al manner of euyls), and part of the princes, beyng blinded by papistical doctrine, part louing quietnesse, and lothe to offende their clergy and subiectes, and all beyng captiue and subiecte to the Antichrist of

* *More's Dyaloge*, wheryn be treatyd dyuers maters, as of the Veneracyon and Worshyp of Ymagys and Relyques, Prayng to Sayntis, and Goynge on Pylgrymage, f. lxxxxix. b. Lond. 1530, fol.

† *Roper's Life of Sir Thomas More*, p. 113, edit. Chiswick, 1817, 8vo.

Rome, the state of the world remaynyng in this case, it is no wonder that abuses grewe and encreased in the churche, that superstition with ydolatrye were taken for godlynes and true relygion, and that many thyngs were brought in without the authorytee of Chryste. As purgatory, the oblation and sacrificyng of Christ by the priest alone, the application and appointyng of the same to such persones as the priest would syng or say masse for, and to such abuses as they could deuise, to deliuer some from purgatory and some from hel (if they were not there finally by God determined to abide, as they termed the mattier), to make raine or fayre wether, to put awaye the plage and other syckenesses both from man and beast, to halowe and preserue them that went to Jerusalem, to Rome, to Saincte James in Compostella, and to other places in pilgrimage, for a preseruatiue against tempest and thunder, against peryls and daungers of the sea, for the remedye against morren of cattell, against pensiuenes of the hearte, and against all maner of affliction and tribulations. And finally, they extol their masses farre aboue Christes passion, promisyng manny thynges thereby whiche were neuer promised vs by Christes passion; as that if a man heare masse, he shall lacke no bodily sustenance that day, nor nothinge necessarye for him, nor shal be letted in his iourney, he shall not lose his sight that day, nor dye no sodaine death, he shall not waxe old in that tyme that he heareth masse, nor no wicked spirites shal haue power of him, be he neuer so wicked a man, so long as he loketh upon the sacrament. All these foolish and diuelishe supersticions the papistes of their owne ydle braine haue deuised of late yeares, which deuises were neuer knowen in the olde churche."*

Sir Thomas Elyot, who died in 1546, was another individual who acquired distinction by his literary attainments during the reign of Henry VIII. Of the language and style of that period, he supplies the following specimen:—

"Good Lorde, how many good and clene wyttes of chyldren be nowe a dayes perished by ignoraunt schole maysters! How lyttle substantiall doctryne is apprehended by the fewenesse of good grammariens! Notwithstanding, I know that ther be som wel lerned, whych haue taught, and also doe teache, but God knoweth a few, and they with smal effect, hauing therto no comfort; theyr aptest and most propre scholers, after they be well instructed in speakyng Latine, and vnderstandyng some poetes, beyng taken from theyr schoole by theyr parentes, and either be brought to the court, and made lakayes or pages, or elles are bounden prentyses, wherby the worshyp, that the mayster aboue anye rewarde couayteth to haue by the praise of his scholer, is vtterly drowned. Wherof I haue harde schoole maisters, very wel lerned, of good ryght complayne. But yet (as I sayd) the fewnesse of good grammariens is a great impediment of doctrine. And here I wold the reders shulde marke that I note to be few good grammariens, and not none. I call not them grammariens whiche onely can teache or make rules, whereby a chylde shall onely learne to speake congrue Latyn, or to make syxe verses standynge on one foote, wherein perchaunce shalbe neyther sentence nor eloquence.

* *Cranmer's Defence of the trve and catholike Doctrine of the Sacrament of the Body and Bloud of our Saviour Christ*, f. 115. b. Lond. 1550, 4to.

But I name hym a grammarien, by the authoritee of Quintilian, that spekyng Latine elegantly, can expound good authours, expressing the inuencion and disposition of the matter, their style or fourme of eloquence, explycatynge the fygures, as well of sentences as wordes, leuynge nothyng, person or place, named by the authour, vndeclared or hydde from his scholers."*

John Poynet, successively Bishop of Rochester and Winchester, was born about the year 1516, and died in exile in the year 1556. He is the author of several works; but the most remarkable of them is a political treatise, in which he anticipated the bold speculations of Buchanan and Languet relative to the right of resisting and punishing tyrants. From this treatise we extract the subsequent passage:—

"This is the frute, wher princes take all their subiectes thinges as their owne. And wherunto at leingth will it come, but that either they must be no kinges, or elles kinges without people? which is all one. But thou wilt saie, wherof cometh this common saieng, all thinges be the kaisers, all thinges be the kinges? It can not come of nothing. But by that that is all ready saied, ye see that euery man maie kepe his owne, and none maie take it from him; so that it can not be interpreted, that all thinges be the kaisers or kinges, as his owne propre, or that they maie take them from their subiectes at their pleasure; but thus it is to be expounded that they ought to defende that euery man hath, that he maie quietly enioie his owne, and to see that they be not robbed or spoiled therof. For as in a great mannes house all thinges be saied to be the stuardes, bicause it is committed to his charge, to see that euery man in the house behaue him selfe honestly, and doo his duetie, to see that all thinges be well kept and preserued, and maie take nothing awaie from any man, nor misspend or waste, and of his doinges he must rendre accompt to his lorde for all; so in a realme or other dominion, the realme and countreie are Goddes, he is the lorde, the people are his seruantes, and the king or governour is but Goddes minister or stuarde, ordained not to misuse the seruantes, that is, the people, neither to spoile them of that they haue, but to see the people doo their duetie to their Lorde God, that the goodes of this worlde be not abused, but spent to Goddes glorie, to the maintenaunce and defence of the common wealthe, and not to the destruction of it. The princes watche ought to defende the poore mannes house, his labour the subiectes ease, his diligence the subiectes pleasure, his trouble the subiectes quietnesse. And as the sunne neuer standeth still, but continually goeth about the worlde, doing his office, with his heate refreshing and comforting all naturall thinges in the worlde; so ought a good prince to be continually occupied in his ministerie, not seeking his owne profit, but the wealthe of those that be committed to his charge."†

From the death of Chaucer, more than a century elapsed before another writer, deserving the name of a poet, appeared in England. This writer was Henry Howard, Earl of Surrey, son and heir apparent to the Duke of Norfolk, whom however he did not survive.

* *Elyot's Boke named the Gouernour*, f. 50. b. edit. Lond. 1565, 8vo.

† *Poynet's Shorte Treatise of Politike Power, and of the true Obedience which Subiectes owe to Kynges and other Ciuile Gouernours*, sig. F. 7. 1556, 8vo.

He was beheaded in 1547, in the thirtieth year of his age. Although thus cut off before the full maturity of intellectual vigour, he lived long enough to effect some very material improvements in English poetry. The versification of preceding poets was more properly rhythmical than metrical. Although some improvements had been introduced by Chaucer, he left the number of syllables too indefinite, and did not reach the harmony and compression of which this noble poet afterwards exhibited an example. The change, says Dr. Nott, which Surrey "proposed and effected, was this. He substituted for the old rhythmical mode of versification one as nearly metrical as the nature of any language, which regulates the value of syllables by accent and not by quantity, will allow. He limited the heroic verse to ten syllables, and these he divided into five equal iambic feet; for he perceived that the frequent return of the short syllable was necessary to correct that languor and ponderosity which the constant recurrence of monosyllables would otherwise occasion. He was aware, however, that the iambic measure, though sweet in itself, was liable to become monotonous and pall upon the ear. He therefore introduced the further refinement of breaking the lines with pauses. The natural place for the pause was at the end of the fourth syllable, where the old cæsura generally fell; but he varied the situation of his pauses as he found the harmony of the verse required, or as he thought the beauty and effect of the passage would be heightened by it. Such was the system of versification introduced by Surrey. Of the correctness of his taste, and the justness of his reasoning upon the subject, no further proof need be required than the event. For the laws of English versification, such as they were established by Surrey, have been adopted by our standard writers, with hardly any variation, ever since. At particular times, indeed, a particular taste has for a short season prevailed. Thus, in the reign of James, and of Charles the First, quaintness, and a love of antithesis, gave a new turn to our versification, and made it abrupt and irregular. But in the two best epochs of our poetry, during the reign of Elizabeth, and after the restoration, those principles of versification alone were observed which Surrey had introduced. An attentive reader will be surprised to find how little was added afterwards by even Dryden or Pope to the system and perfectness of Surrey's numbers."* Another change introduced by this illustrious youth was the use of the heroic blank verse. Langland and other writers had indeed dispensed with rhyme; but, as we have already seen, their alliterative lines were constructed in a very different manner. In the following sonnet, he bewails the death of another eminent poet, Sir Thomas Wyatt:—

Divers thy death do diversely bemoan;
Some, that, in presence of thy livelihed
Lurked, whose breasts envy with hate had swoln,
Yield Cæsar's tears upon Pompeius' head.
Some, that watched with the murd'rer's knife,
With eager thirst to drink thy guiltless blood,
Whose practice brake by happy end of life,
Weep envious tears to hear thy fame so good.

* *Nott's Dissertation on the State of English Poetry before the Sixteenth Century* (p. clxxxi.), prefixed to the Works of Surrey and Wyatt. Lond. 1815, 2 vols. 4to.

But I, that knew what harboured in that head,
What virtues rare were tempered in that breast,
Honour the place that such a jewel bred,
And kiss the ground whereon thy corpse doth rest,
With vapour'd eyes; from whence such streams avail
As Pyramus did on Thisbe's breast bewail.

His sonnet on Spring may be quoted as another specimen of his language and versification:—

The soote season, that bud and bloom forth brings,
With green hath clad the hill, and eke the vale;
The nightingale with feathers new she sings,
The turtle to her mate hath told her tale.
Summer is come, for every spray now springs:
The hart hath hung his old head on the pale,
The buck in brake his winter coat he flings,
The fishes flete with new repaired scale,
The adder all her slough away she flings,
The swift swallow pursueth the flies smale,
The busy bee her honey now she mings;
Winter is worn that was the flowers' bale.
And thus I see among these pleasant things
Each care decays, and yet my sorrow springs.*

Before the close of the sixteenth century, the English language had in a great measure attained that form and structure which it continues to exhibit. A great improvement of taste had been introduced, by a more critical and more general study of the ancient classics. William Lilly, the famous grammarian, who had learned Greek at Rhodes, and who had afterwards acquired a polished Latinity at Rome, became the first teacher of Greek at any public school in England: this was at St. Paul's school, in London, of which he was appointed the first master about the year 1500,† The language soon began to be more regularly taught in the universities. At Cambridge the study of it was zealously and successfully recommended by Smith, Cheke, and Ascham, who were themselves distinguished by their proficiency. The elegancies of Latin style began to be better understood, and monkish barbarism was gradually banished. Ascham and Haddon acquired distinction by the style of their Latin prose; and some of the verses of Leland discover a classical vein previously unknown to his countrymen. Before the close of the century, many of the Greek and Latin writers appeared in an English dress, and classical story and mythology were rendered familiar to the common reader. In addition to the French, the Italian and Spanish languages attracted a great degree of attention; and from all of these languages, especially the two former, many works were likewise translated. New sources of knowledge, as well as of fancy, were thus opened, and the English tongue was enriched with a more copious and variegated phraseology. Surrey and Wyatt were succeeded by poets of great genius, by Shakespeare and Spenser, as well as by many others, who, though of inferior powers, were yet possessed of a vigorous and brilliant imagination. The prose compositions of Bacon and Raleigh, partaking of the native energy of their authors, exhibited specimens of a condensed and forcible style, to which the preceding age had never attained.

* *Surrey's Works*, p. 19. 46.
† *Warton's Hist. of English Poetry*, vol. iii p. 258.

During the earlier part of the seventeenth century, ancient learning was assiduously cultivated; and men of great erudition, Usher, Selden, Gataker, Cudworth, and others, adorned the literary annals of their country. The prevailing taste of scholars had however a strong tendency to what was scholastic, if not pedantic; and even the poets, such as Donne and Cowley, substituted the subtilties of metaphysical conceits for flights of poetic fancy. Many words, derived immediately from the Latin, were introduced by the learned writers of the period to which we now refer. A considerable number of them have been subsequently rejected, while others are incorporated in the vocabulary. In the mean time, English poetry had nearly reached its highest limits. Milton's *Paradise Lost*, so eminently distinguished as a work of creative genius, affords the most remarkable illustration of the compass, power, and harmony of the language. Nor is Dryden unworthy of being mentioned with this mighty master of the English lyre. His powers of mind were no doubt different in kind and degree, but he was possessed of a genius truly poetical; and his prose, as well as his verse, exhibits a rich and copious vein of English phraseology.

The subsequent progress of the language our narrow limits will not permit us to trace. The history of the Scottish language is involved in more obscurity. The Celtic tongue is supposed to have been originally spoken in every district of that kingdom; nor has it been found an easy task to account for the introduction of a Gothic dialect, bearing a very close affinity to English. That the Scottish language is merely a dialect of the English, seems indeed to be the more prevalent opinion; and this foreign speech is supposed to have been gradually adopted by the Picts, who are at the same time described as a people of Celtic origin. The ancient history of every race of men which is possessed of no ancient records, and which has not attracted much attention from more enlightened nations, must ever be involved in doubt and uncertainty. In the present instance, we have little to guide our inquiries, besides a few scattered and contradictory notices, added to the ordinary and well-ascertained progress of human speech. When other records fail, the history of a nation may sometimes be traced in the history of its language; and a very moderate degree of reflection will enable us to determine the probability of a Celtic people unlearning their native tongue, and, from deliberate choice, adopting another speech completely and radically different.

Dr. Geddes, in a Dissertation on the Scoto-Saxon Dialect, has strenuously maintained this extraordinary opinion, which has likewise been adopted by a more recent writer, possessing no portion of his acuteness or learning. "The names," it is stated, "of all the rivers, mountains, towns, villages, and castles, of any note or antiquity, from Berwick-law to Buchanness, and from Buchanness to Arder-Sier, are all evidently Celtic. We must, then, either suppose that the language of the Picts was a dialect of the Celtic, or that they were not the original inhabitants of the country; or, in fine, that after the extinction of the Pictish empire, or rather its union with the Irish-Scots, the language of these latter universally prevailed, and effaced the very remembrance of its Gothic predecessor. The second of these suppositions is contrary to history; the third is belied by experience; the first then

is the only one that is founded in probability."* This observation with respect to the prevalence of Celtic names, though too strongly stated, is not without foundation. We may therefore admit that the south of Scotland was, at some remote period, inhabited by a Celtic people; but it is not a necessary inference that this people must be identified with the Picts. Whatever hypothesis may be adopted, it is not denied that many Celtic names of places have been retained, where the inhabitants have long ceased to speak any dialect of the Celtic language. It may very easily be conjectured, that this primitive race of Celts was finally supplanted by new settlers, and that those settlers, whether Scandinavians or some other Gothic tribe, adopted many of the names which the original inhabitants had applied to mountains, rivers, and other conspicuous objects. That a similar process has been followed in innumerable instances, must be obvious to every person acquainted with the history of European settlements in other quarters of the globe; the native appellations are almost always retained to a certain extent, and are mingled with other names, borrowed from the language of the colonists.

If we should suppose the Picts to have been a Celtic people, a very hard problem will remain to be solved:—by what extraordinary means could a distinct race of men, placed in such circumstances, be induced to reject one language, and to adopt another? This radical and unprecedented change Dr. Geddes is disposed to ascribe to the operation of such causes as the following:—to the temporary subjection of the southern provinces of Scotland by the Northumbrians; to the immense number of captives seized during the ancient wars with the English; to the planting of English garrisons in several of the Scottish towns, to the amicable intercourse of the Picts with the English; and, finally, to the influence of Malcolm Canmore's courtiers, whom he supposes to have learned the English language from Queen Margaret and her retinue. But it may without much temerity be affirmed that, in the entire annals of the human race, such an effect was never produced by such causes. In a more refined state of society, the love of knowledge, the hope of gain, or the influence of fashion, may induce many individuals to betake themselves to the acquisition of foreign languages; but the great body of the people will ever be disposed to rest perfectly satisfied with the speech, whether rude or cultivated, which they have derived from their parents. It is only by some great revolution, by a total conquest, or by an overwhelming extent of colonization, that the current language of a country can be materially changed. After the Norman conquest, when French became the language of the court and of the law, and when Norman barons were planted in almost every corner of England, did the combined operations of such causes eradicate the old, and establish a new language in its place? Many new words were unquestionably introduced, but these were merely engrafted on the old stock of the Anglo-Saxon. "Had the Saxon," as Dr. Jamieson well observes, "found its way into Scotland in the manner supposed, it would necessarily have been superinduced on the Gaelic. This has always been the case where one language prevailed over another; unless the people who spoke the original language were

* *Transactions of the Society of the Antiquaries of Scotland*, vol. i. p. 408.

either completely or nearly exterminated. Thus was the Norman gradually incorporated with the Saxon, as the Frankish had been with the Latinized Celtic of France. But the number of Gaelic words to be found in what is called broad Scots bears a very small proportion to the body of the language."* And this solitary fact is indeed sufficient to evince that the inhabitants of the south of Scotland cannot be sprung from Celtic ancestors. Dr. Geddes has ventured to specify the reign of Malcolm III., which commenced in the year 1057, as the period of a general denization of the Saxon tongue in Scotland. "That monarch," he remarks, "had been bred in England, and married an English princess. Her retinue were all English. English, in consequence, would become the language of that court. The courtiers would carry it to their respective homes; their domestics would be ambitious to speak the language of their masters; and thus it would be gradually introduced into every fashionable circle."† But to introduce a language into every fashionable circle, is somewhat different from rendering it the current speech of the people: French was long the court language, and the language of fashionable circles in England, and yet the great body of the people persisted in speaking English.

The insuperable difficulty of accounting for such a transition as has thus been supposed, a transition from a Celtic to a Gothic dialect, renders the conclusion obvious and unavoidable, that the Gothic speech of Scotland was derived from a Gothic race of ancestors. Nor is this conclusion altogether free from difficulties, though they are of very inferior weight to those which are to be deposited in the opposite scale. It is the opinion of a late writer, who has investigated the subject with much ability, that the Picts emigrated from Scandinavia;‡ and, according to this opinion, the Picts and Saxons must have spoken two dialects of the same original tongue. The history of these kindred dialects may be illustrated from that of some others, derived from the same Gothic origin. The Icelandic, Swedish, and Danish languages are all descended from the ancient Scandinavian. Iceland, which, as the learned Bishop Müller has remarked, is entitled to particular attention as the foster-mother of northern history,§ was peopled by a colony of

* *Jamieson's Dissertation on the Origin of the Scottish Language* (p. 21), prefixed to his Dictionary.

† Verstegan reasons in nearly the same manner. (*Restitution of decayed Intelligence*, p. 180. Antwerp, 1605, 4to.) See likewise the preface to Dr. Wallis's *Grammatica Linguæ Anglicanæ*, p. xxii., and Mr. Boucher's Introduction to his Glossary, p. li.

‡ *Pinkerton's Enquiry into the History of Scotland*, vol. i. p. 168. Lond. 1789. 2 vols. 8vo. Mr. Roberts inclines to the same opinion: "The Picts, or, more properly, Phichts, probably a colony of Scandinavians, originally from Scythia, as they are said to have come over the Northern Sea. Triad, 7." (*Sketch of the early History of the Cymry, or Ancient Britons*, p. 125. Lond. 1803, 8vo.) Professor Magnusen, who has more recently investigated the origin of the Picts, bestows sufficient commendation on Mr. Pinkerton's learning and research, and to a certain extent is disposed to adopt his leading opinion; but at the same time he declares himself unable to approve of all the arguments by which it is supported, especially of those which rest upon erroneous interpretations of Scandinavian words and antiquities; nor does he fail to express his disapprobation of this writer's unseasonable invectives against the Celts. (*Om Picternes og deres Navns Oprindelse*, S. 56. Kiöbenhavn, 1817, 8vo.)

§ *Muller's Sagabibliothek*, Bd. i. S. 4. Kiöbenhavn, 1817-20, 3 Bind. 8vo.

Norwegians, in the year 874. This race of men, confined to a remote island, and maintaining but little intercourse, either of peace or war, with other nations, has preserved its ancient language with singular purity.* The Swedes and Danes, more extensively engaged in the pursuits of commerce, and more closely connected with the rest of mankind, have exhibited a different progress: but, while both languages have receded very widely from the Icelandic, they have not receded very widely from each other; a similar state of society, similar relations with other countries, and the study of the same foreign authors, have produced corresponding changes in both. In the history of these two languages, we do not indeed find a complete parallel with that of the Scottish and English: the Swedish and Danish are both dialects of the ancient Scandinavian; while the Scottish is derived from the Scandinavian, and the English from the ancient German. But the Scandinavian and the German proceeded from the same common stock; and when we ascend to a period sufficiently remote, they are only to be regarded as dialects of the same language.

It is not to be concealed that Barbour, Winton, Henry the Minstrel, and other early poets of Scotland, have described their native language as English.† This application of the name has been explained, with at least some degree of plausibility, by referring to the circumstance of the Gaelic being then denominated the Scottish language. ‡ A Celtic and a Gothic dialect could not well be described by the same term; and "when, by a necessary contingency, the Gothic language had in the same space, though in different nations, retained much the same hues, the name of that dialect which was spoken by the greater and politer people was imparted to the other, inhabiting a contiguous part of the very same island." § Mr. Pinkington is less fortunate in another suggestion; namely, that it is not more strange to perceive that the Italian, French, and Spanish languages were originally termed Romance. They were all described by this common name, because they were all derived from one common source, the language of the Romans; but we are not inclined to believe that the Scottish and English tongues stand in precisely the same relation to each other.

One of the most ancient specimens of the Scottish language is a poem of eight lines, composed on the death of Alexander III., who perished by an accidental death in the year 1286. That these lines were written soon after the event to which they refer is affirmed by Winton, in whose chronicle they are preserved:—

* Dr Sharpe has well stated, that "war, invasion, conquest, treaties, intercourse with different nations, commerce, colonies, rise of arts, logical refinements, controversies, time or age, and the humours of a people, are all causes of alteration in language." (*Two Dissertations upon the Origin of Languages, and upon the original Powers of Letters*, p. 35. edit. Lond. 1751, 8vo.)

† *Barbour's Bruce*, p. 82. *Winton's Cronykil*, vol. i. p. 4. *Henry's Wallace*, p. 231.

‡ "Duobus enim utuntur linguis, Scotica videlicet, et Teutonica; cujus linguæ gens maritimas possidet et planas regiones: linguæ vero gens Scoticæ montanas inhabitat, et insulas ulteriores." (*Forduni Scotichronicon*, vol. i. p. 44. edit. Goodall.)

§ *Pinkerton's Essay on the Origin of Scotish Poetry* (p. lxxi), prefixed to Ancient Scottish Poems. Lond. 1786, 2 vols. 8vo.

Quhen Alysandyr oure kyng was dede,
That Scotland led in luwe and le,
Away wes sons of ale and brede,
Of wyne and wax, of gamyn and gle:
Our gold wes changyd in-to lede.
Cryst, born in-to virgynyte,
Succour Scotland and remede,
That stad is in perplexyte.*

John Barbour, Archdeacon of Aberdeen, died in the year 1396, and was therefore contemporary with Chaucer. His poem on the exploits of King Robert furnishes an excellent specimen of the language: it is highly interesting as a relique of early literature, nor is it without its value as a record of early history. This venerable poet's encomium on political freedom is distinguished by a manly and dignified strain of sentiment:—

A! fredome is a noble thing!
Fredome mayss man to haiff liking,
Fredome all solace to man giffis;
He levys at ess that frely levys.
A noble hart may haiff nane ess,
Na ellys nocht that may him pless,
Gyff fredome failyhe; for fre liking
Is yharnyt our all othir thing.
Na he that ay hass levyt fre,
May nocht knaw weill the propyrte,
The angyr, na the wrechyt dome,
That is cowplyt to foule thryldome.
Bot gyff he had assayit it,
Than all perquer he suld it wyt,
And suld think fredome mar to pryss
Than all the gold in warld that is.†

James I., one of the most remarkable persons of the age in which he lived, was born in 1394, and was assassinated in 1437. Many of his poems are probably lost, or are no longer recognized as his; but those which still remain are sufficient to secure for the author a high rank among the British poets of that age. The uncommon versatility of his talents enabled him to excel alike in serious and in ludicrous composition: he evinces a warm imagination and a feeling heart, and he has left some exquisite specimens of humour. The subsequent extract is from his longest poem, which bears the title of "The King's Quair:"—

Quhare in a lusty plane tuke I my way,
Endlang a ryuer, plesant to behold,
Enbroudin all with fresche flouris gay,
Quhare throw the grauel, brycht as ony gold,
The cristal water ran so clere and cold,
That in myn ere maid contynualy
A maner soun mellit with armony:

That full of lytill fischis by the brym,
Now here now there, with bakkis blewe as lede,
Lap and playit, and in a rout can swym
So prattily, and dressit thame to sprede
Thaire curall fynis, as the ruby rede,
That in the sonne on thaire scalis brycht
As gesserant ay glitterit in my sight.

* *Winton's Cronykil of Scotland*, vol. i. p. 401.
† *Barbour's Bruce*, p. 10. Jamieson's edit.

And by this ilke ryuer syde alawe
Ane hyeway fand I like to bene,
On quhich on euery syde a long rawe
Off trees saw I full of leyis grene,
That full of fruyte delitable were to sene;
And also, as it comes vnto my mynd,
Of bestes sawe I mony diuerse kynd.*

We have only room for another specimen of the early Scottish language; and this we shall select from a work of William Dunbar, the most eminent of all the early Scottish poets. He was a native of Lothian, and is supposed to have died about the year 1520. His poems are numerous and miscellaneous, but none of them extends to any considerable length. He evidently unites a brilliant imagination with an elegant taste; nor is he less conspicuous for his skill in the mechanical part of poetry. The elasticity of his mind, and the versatility of his talents, enabled him to arrive at eminence in different departments of composition. His allegorical poems display a rich and fertile invention; and he is equally distinguished for his powers of description and satirical humour. His diction is often remarkable for its terseness and forcible simplicity; but it is not always free from the vicious and pedantic phraseology with which the English poetry of that period is so deeply infected. "It is evident," says Dr. Drake, "that a union of talents of this wide range must necessarily be of rare occurrence; nor can we wonder that a century should elapse before a poet in any high degree approaching the genius of Chaucer made his appearance in our island. Not indeed until Dunbar arose in the sister kingdom, had we another instance of the combination of first-rate abilities for humour and comic painting, with an equally powerful command over the higher regions of fiction and imagination."† *The Thistle and the Rose*, a poem in celebration of the nuptials of James IV. and Margaret Tudor, opens with the following stanzas:—

Quhen Merche wes with variand windis past,
And Appryll had with hir silver shouris
Tane leif at nature with ane orient blast,
And lusty May, that muddir is of flouris,
Had maid the birdis to begyn thair houris
Amang the tendir odouris reid and quhyt,
Quhois harmony to heir it wes delyt;

In bed at morrow sleiping as I lay,
Methocht Aurora with her cristall ene
In at the window lukit by the day,
And halsit me with visage paile and grene;
On quhois hand a lark sang fro the splene,
Awalk, luvaris. out of your slemering,
Se how the lusty morrow dois upspring.

Methocht fresche May befoir my bed upstude,
In weid depaynt of mony diverse hew,
Sober, benyng, and full of mansuetude,
In bright atteir of flouris forgit new,
Hevinly of color, quhyt, reid, brown, and blew,
Balmit in dew, and gilt with Phebus bemys,
Quhyl all the house illumynit of her lemys.

* *Poetical Remains of James the First*, p. 139. Edinb. 1783, 8vo.
† *Drake's Mornings in Spring*, vol. ii. p. 4. Lond. 1828. 2 vols. 8vo.

Slugart, scho said, awalk annone for schame,
And in my honor sumthing thow go wryt:
The lark hes done the mirry day proclame,
To rais up luvaris with comfort and delyt,
Yet nocht incress thy curage to indyt,
Quhois hairt sumtyme hes glaid and blissful bene,
Sangis to mak undir the levis grene. *

The Celtic language still prevails in some extensive districts of the United Kingdom. One of its most cultivated dialects is the Welsh, which comprises some very ancient and curious reliques of literature.† It is frequently mentioned as a remarkable fact in the history of the affinity of nations and languages, that the Welsh soldiers who served at the siege of Belleisle in the war of 1756, found little difficulty in making their speech intelligible to the people of Bretagne. A dialect of the Celtic tongue continues to be spoken in the Isle of Man, and is known by the name of the Manks language. Another dialect of it was long current in Cornwall. "This language," says Mr. Boucher, "was the current speech of Cornwall till the reign of Henry VIII.: but then innovations took place, and fashionable preachers began to affect to perform the service of the church in English, and, at the Reformation, are said to have very generally expressed their preference of the English service. However, some old-fashioned folks still clung to their paternal tongue with patriotic pertinacity; and the last sermon ever delivered in Cornish was in 1678. Mr. Ray, in 1662, says he could find only one person who could write it; and, in 1768, Mr. Barrington could find only one old woman who could scold in it."‡ In Scotland, a dialect of Celtic is spoken by a race of men who inhabit no small proportion of the territory, but whose number probably does not exceed one-sixth of the general population. Nor is the Gaelic commonly spoken in every part of the Highlands. Even in Caithness, the most northern county of Britain, it is not the current speech. The inhabitants, like those of Orkney and Zetland, are chiefly descended from the Norwegians, and speak a dialect of Scottish. The Scottish Celts are descendants of the Irish, and speak a dialect which still continues to be so similar to theirs, that the people of the two countries can, to a great extent, make themselves intelligible to each other. In the Irish tongue many manuscripts have been preserved, some of which are of an early date; but in the Gaelic there is none that can plausibly pretend to any considerable antiquity.

* *Hailes' Ancient Scottish Poems*, p. 1. Edinb. 1770, 12mo.

† See *Mr. Turner's Vindication of the Genuineness of the Ancient British Poems of Aneurin, Taliesen, Llywarch Hen, and Merdhin.* Lond. 1803, 8vo.

‡ *Boucher's Introduction to his Glossary of Obsolete and Provincial Words*, p. xxxvi. This work, which is now in the progress of publication, we strongly recommend to our readers as a rich and curious storehouse of philological and antiquarian information.

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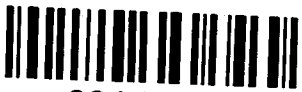
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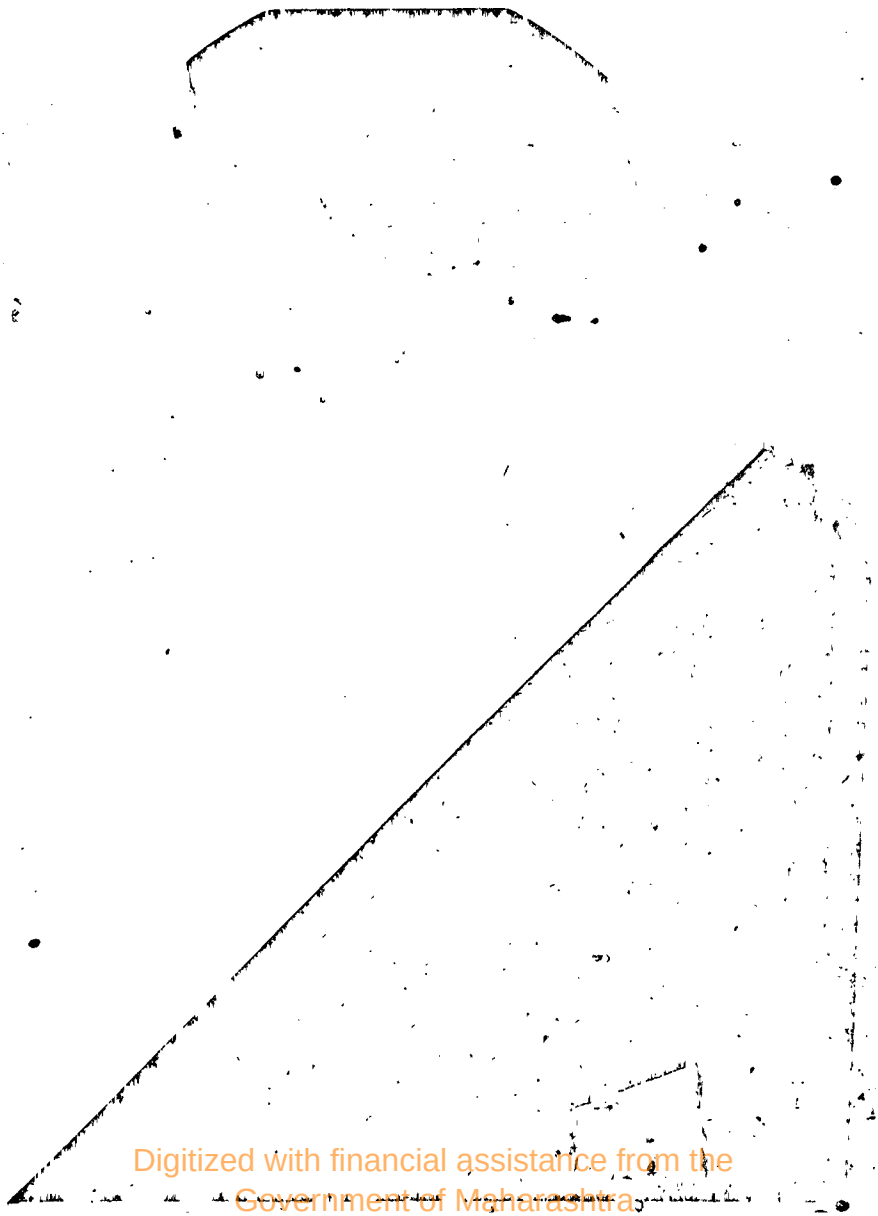

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